

The Lost Ordinance

Creating a viable enforcement plan for
Apartment recycling in the City of Des Moines

Fall 2014 Master of Public Administration Capstone

Danny Akright
Justin Alliss
Jodi Douglas
Julia Goodin
Chris Hines



Allen Zagoren DO, MPA (Professor)

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Team Members

Danny Akright

Digital Media Publisher, Drake University
B.A. & B.A.J.M.C., Drake University

Justin Alliss

Employer Liability Specialist, Iowa Workforce Development
B.A. & C.P.M., Drake University

Jodi Douglas

Manager, Quality Control Bureau, Iowa Workforce Development
B.A., William Penn University; C.P.M., Drake University

Capt. Julia Goodin, M.D. (USNR Ret.)

Chief State Medical Examiner, State of Iowa
B.S., Western Kentucky University; M.D., University of Kentucky

Chris Hines

Professional Basketball Player, Iowa Energy
B.S.C., University of Utah

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Introduction

Recycling has become second nature to many Americans. In households, offices, shops, grocery stores, and more, recycling bins stand next to trash cans, occupying equal space and securing equal billing. It makes sense – recycling saves money, material, and energy. It feels good – recycling is an easy, everyday way to shrink one’s environmental impact. So why do thousands of Des Moines apartment dwellers lack access to recycling?

In 1996, the Des Moines City Council passed Sec. 98-116, an ordinance requiring apartment managers to provide their tenants with access to recycling. That ordinance faded quickly into obscurity, and sat in limbo over the next 18 years. Tenants didn’t know about it. Apartment managers had never heard of it. City officials were unaware of its existence.

This ordinance presents an opportunity for the City of Des Moines and its citizens. Passing the ordinance – the hard part – was completed nearly 20 years ago. All the city needs now is an effective and fair enforcement plan. Creating that plan became this team’s mission.

Statement of Problem

In 1996, the City of Des Moines passed an ordinance (Sec. 98-116) requiring apartment managers to provide access to recycling to their tenants. For the past 18 years, the ordinance has remained on the books but unenforced. The city's Neighborhood Inspections Division, which is responsible for enforcement of the ordinance, requires an enforcement plan with appropriate requirements and a fair timeline, and guidelines on how to communicate the details of enforcement to apartment managers, their tenants, and other stakeholders.

History of the Ordinance

Passage in 1996

According to the minutes from the Des Moines City Council meeting dated November 18, 1996, Ordinances for First Consideration included 96-3880 68 which amended “Chapter 16 of the Municipal Code, to add multifamily residences to the City Recycling Program.” “Moved by Daniels that this ordinance be considered and given first vote for passage, Motion Carried 7-0.” (Page 12 Summary of DSM Council Meeting). According to the Roll Call Document Number 96-3880 dated November 18, 1996; seven Council Members were present (Davis, Phillips, Daniels, Flagg, Hensley, McPherson, and Vlassic) and “yea” was checked by each of their names. The only member of the council in 1996 who is still a member today is Christine Hensley.

The Multifamily Recycling Ordinance had been submitted by the then director of Community Development, James Grant (City Council Communication 96-479). His staff prepared the ordinance which would require the owners of rental properties with five or more units to provide a recycling program for their tenants. It would be enforced by the Housing Safety Division as part of their routine housing inspections. It was noted in the synopsis that “similar ordinances have already been enacted in several Des Moines suburbs.”

The Background explained that “his staff had been directed by Roll Call No. 96-1384 at the April 15, 1996 City Council meeting to provide a report by July, 1996 on the status of the City’s recycling efforts, particularly as they related to the provision of recycling opportunities for

tenants of rental properties. Staff was also directed to work with the Metro Waste Authority to develop an ordinance which would require that owners of Multifamily Unit Rental (MFUR) properties provide recycling programs for their tenants” (City Council Communication 96-479).

The status report was provided to the Council on June 5, 1996 according to the Communication; however, the creation of the ordinance was delayed “due to the reorganization of the Housing Safety Division.”

An in-person and written request was made to the Des Moines City Clerk’s Office on November 5, 2014, for the above mentioned status report. A phone call was received the following week explaining that “the document could not be located and most likely had been destroyed because the City Clerk’s Office only maintains such documents for ten years.”

The ordinance amendment proposed that “Owners of rental properties containing five or more units will be required to provide a recycling program for their tenants in conjunction with their normal solid waste collection services. Owners will not be required to enforce the provisions of this ordinance and will not be held accountable for their tenants’ actions in this regard.”

The proposed ordinance allowed that “Owners of properties with up to 10 units who can demonstrate that they do not have sufficient property to accommodate additional solid waste containers can apply to the Community Development Director for a variance from the ordinance’s requirements.”

“A letter was sent to owners of all certified rental properties in Des Moines informing them of the proposed ordinance amendment and inviting them to one of two information meetings which staff held on October 15 and 16 to discuss the ordinance and answer questions. Of the 550 owners who were notified of the meeting, a total of 31 people attended. Of greatest concern was the degree of responsibility owners would have to insure that tenants participated in the recycling program. As explained above, owners would not be required to force participation, only to insure that a recycling program is provided.”

In a memo from Jim Grant, Community Development Director, to Eric Anderson, City Manager, the timeline for developing the Multifamily Unit Recycling Ordinance was addressed. It included “Informational presentations to the housing Appeals Board for August, 1996, to affected landlords and the public meetings in September of 1996 and to the City Council for enactment in October 1996.”

It also included proposed meetings between staff from the Metro Waste Authority and affected landlords who request assistance for implementing the ordinance at their rental units for October-December, 1996. Even though the ordinance passed the City Council almost on schedule, no records could be located that indicated meetings were held between staff from Metro Waste Authority and affected landlords.

The same memo identified Metro Waste Authority as the requestor to the City to implement “the ordinance to afford recycling opportunities to residents of rental units, and to assist the Authority in meeting its recycling goals.”

Subsequent Media Coverage

In the years following the ordinance's passage, The Des Moines Register published multiple articles regarding the lack of enforcement and more general struggles with recycling in the city. In an August 2002 article entitled "Recycling rule not enforced at apartments," author Jason Clayworth wrote that the decision not to enforce rested in the hands of Ben Bishop, who worked in the city's Neighborhood Inspections Division. Bishop was quoted as saying "Quite frankly, I don't believe it's a good piece of legislation ... Most people aren't recycling in Des Moines now, and it doesn't seem appropriate to me to force landlords to do something residents won't."

In the same article, Sue Surber, the apartment manager for Des Moines' Park Place Apartments said she supported the ordinance. Park Place Apartments began offering a recycling option to tenants when the ordinance was passed, according to the article.

Two years prior, multiple articles cited the financial struggles created by increased recycling goals. Because public works budgets were largely supported by trash collection, the decrease in trash collection that accompanied the increase in recycling collection caused budgetary strain. As a result, the city cut single-family dwelling curbside recycling pickups from weekly to once every two weeks.

An October article raised questions about the apartment recycling ordinance. Des Moines' deputy zoning enforcement officer, Joe Bohlke, is quoted: "I am not aware of any city ordinance that requires recycling (in) multifamily units ... I'm not even sure where to send you."

The ordinance, passed four years prior, had been lost.

Project Trajectory

Work with City Officials

The project began with an original goal of developing a Des Moines City Ordinance which would require owners/managers of multifamily housing to provide a means of recycling for their tenants. However, during research into the process for successfully proposing and having an ordinance adopted by the Des Moines City Council, it was discovered that an ordinance was already in place and had been in place for 18 years. It was apparently not being enforced. The ordinance was to be enforced by the “community development department as part of its rental inspection program and housing inspectors are authorized to inspect all multifamily residential premises for compliances wherewith (Appendix G).” This drastically changed the direction of the project to focus on determining why the ordinance had not been enforced and what it would take to bring about its enforcement.

Once it was determined that The Community Development Department was located in the Armory building, a member of the team visited the Neighborhood Inspections Division on the second floor. The receptionist had no idea what the member was referring to when the member introduced herself and asked to speak to someone about the “multifamily recycling ordinance.” The receptionist explained that they “were responsible for cleaning up garbage if it was left undone, but did not know anything about a recycling ordinance.”

She said the member would need to speak to the administrator. The administrator was busy at the time but would be willing to meet the following week.

On October 8, 2014, a member of the team met with SuAnn Donovan, Administrator for Neighborhood Inspection and Zoning, Division of Community Development for City of Des Moines in the Armory Building at 602 Robert D. Ray Drive.

Ms. Donovan opened the meeting with a comment that she understood the member was there to “talk about an ordinance her division was responsible for enforcing she now realized had never been enforced.” She had obviously already looked into this and started explaining what they/she intended to do to correct the situation. She explained she had only been in her current position for three years, but prior to that had been in the legal section and she remembered when the ordinance was passed. She explained it was part of the big push when the city started recycling for residents, but this section for multifamily units had not been enforced to her knowledge.

When asked about her division and its responsibilities and number of employees, she explained she had 15 inspectors who are responsible for 16 areas, which her department drew up in an effort to balance the workload for the inspectors. One inspector has two areas. Those inspectors are responsible for inspecting multifamily rental property and issuing rental inspection certificates. The properties are inspected at least every three years. Her staff also includes seven clerical workers and three supervisors. The inspectors have three main responsibilities: investigation of junk and debris complaints, cleanups, and rental inspections. Her division is responsible for multifamily units which have five or more units, which is the same type of dwellings covered by the ordinance.

She said she thought the requirement for having a means of recycling available to the residents had been dropped from the current requirements for a rental certificate. This happened prior to her arrival in her current position.

When asked if it had ever been on the check list, she replied that she did not know the answer. She added it to the list of questions for which she would find the answers and provide in the future. (She later determined that it had never been on the checklist for inspections.)

She mentioned a new requirement that would require the rental managers to provide an enclosed structure for their dumpster and this would have to be part of any program now enforced. The new requirement for enclosures would have to ensure they were large enough to house bins for recycling as well.

When asked about how an ordinance is introduced to the City Council, who could introduce it and what happened next, she was very helpful and explained it could be introduced by a citizen presenting it at a council meeting, by a council member or by staff of one of the sections. She said, “Often, staff notes a problem either with a current ordinance or with something that could or should be done differently, but it requires an ordinance to change. So they present the information, reasons, and research to the council and eventually a draft is sent to the legal division. Often, it gets rewritten and corrected and eventually passed. When a Council member presents a problem that may require an ordinance, it often then goes to a division, whose staff then drafts the ordinance after doing research on the pros and cons and needed information. It then goes to the legal section to be corrected as needed and then to the Council for vote.”

She suggested the details about the history of the current ordinance would be at the City Clerk's office but the "Roll Call Number would be needed to locate the information." She provided the number: 13405.

She clearly admitted her division was responsible for the enforcement of the ordinance and was currently not enforcing it. She also explained her plan for enforcing it now that she had been made aware of it. She plans to send a notice to all those landlords currently holding rental certificates and explain the requirement and tell them they have to meet the requirement in order to pass their next inspection and receive a rental certificate. The inspectors are not currently required to look for recycling receptacles. She will make it a part of the rental inspection program. The landlords will have to show the inspector how recycling is being done or their plan to implement it. It would require each of them to provide the appropriate containers and hire a company to collect the recycling and take it to an appropriate facility.

When asked why she thought the ordinance had not been enforced or had not been successful and if it was because of the space required for the receptacle, she said that may have been part of it.

When asked if her office had ever issued a waiver as per the ordinance that could be granted based on space limitations, she said she did not know and added it to her list of questions. She later reported no waivers had ever been granted.

When asked if she was aware of any media coverage when the ordinance had passed or since, she did not remember specifically. Nor did she remember who first presented or promoted the ordinance.

A second meeting was scheduled for the 15th of October.

On October 8th, 2014, Cody Christensen, Deputy Director for Zoning Division of Community Development, City of Des Moines agreed to assist with the project via phone call.

He was unaware of the ordinance and asked for the section number. He explained that his division runs parallel to SuAnn Donovan's and they work closely together.

His division divides the city into four quadrants and is mostly responsible for new zoning and construction permits for projects proposed by developers of multifamily dwellings, offices and commercial buildings. The division has four building inspectors, three electricians, three plumbing inspectors, two mechanical inspectors, two engineers, (one of whom is a division director) and three zoning inspectors, who also report to SuAnn Donovan. The staff also includes three customer service clerks, two people who are responsible for building inspections and three plan examiners who also review commercial building plans.

When asked about the new requirement to have the garbage receptacles in an enclosure, he explained they were in the process of making sure all new construction would have these

enclosures in their plans, but would now have to probably increase the size of these enclosures if they were to also house the receptacles for recycling.

He suggested the team could help with enforcement by researching cities of similar size which have successful recycling programs and determine what type of receptacles they are using, if the receptacles are placed on each floor of the building or if they are placed all in one location with the garbage collection. He would need to be able to explain to developers and give them direction as to exactly what type of containers or method could be used most successfully. Basically, he was asking for an analysis of what has and has not worked for other cities of similar size. He asked if the team could determine how much recycling would be expected from each unit weekly and required container size if there was only pickup once a week.

He suggested a meeting with several key players to include himself, SuAnn Donovan, and members of the team.

He explained the process of approval by his zoning division of new developments for either office space, commercial or multifamily dwellings.

He explained that a developer presents a proposal and there is a two-phase approval process. The developer must present the building plans and details of the project, which are reviewed by his division. They must also either be developing in an area that is already correctly zoned or make a request for rezoning. Rezoning can take an additional two months.

On October 16th, Cody Christensen joined a member of the team and SuAnn Donovan for their scheduled meeting. It was decided that the team could best help with an implementation plan by developing information to be given to current landlords and complex managers to help them set up recycling, to include a list of contract haulers, types and size of bins to use, and where to place the bins. It would also be helpful if the group developed educational material and media information to help educate the tenants and to encourage recycling.

Another meeting was scheduled with the two city officials and the team for the following week.

On November 5th, 2014, a meeting was held with the team, and Cody Christensen, and SuAnn Donovan at the Armory building. The meeting began with members of the team presenting information from cities which provided good models for successful implementation of recycling.

Arlington, Virginia, which has a similar population to Des Moines, was presented, and examples of educational material provided to their tenants and apartment managers was shown. It was pointed out how a tip line or hotline made available for tenants to place complaints had been very useful and helped in the success of the recycling program.

A phased-in plan allowing for managers to provide their plans for recycling including collection method, education of tenants, and bin type worked well. Having a recycling coordinator for each complex also improved the programs.

Examples of educational flyers and posters available on the Metro Waste Management website which could be given to the apartment managers were shown (Appendix B).

The team led a discussion about how and why a phased-in plan would probably work best. Members of the team brought up how neither Metro Waste Management nor available trash haulers would be able to immediately meet the increased demand if all multifamily complexes began to recycle at once.

It was eventually agreed that a phased-in plan would work best. SuAnn and Cody suggested the first letter would alert the managers that a recycling plan would be required for future rental certificates. As certificate renewals came due, they would be sent the information and required to have a plan at the time of inspection to show how they would implement recycling. On their next cycle, in order to obtain their certificate, they would have to have recycling in place.

New construction would be required to have an enclosed recycling site on their drawing before given a go ahead.

Penalties would include revocation or denial of rental certificate or renewal. Inspections are made every three years. Providing recycling would become a checklist item for inspectors who are making inspections for renewal of rental certificates. This original plan was for a six-year enforcement period.

SuAnn would revisit Chapter 60 of the Rental Code to determine the specific complaint process and how the complaints are to be handled.

Education and Media Promotion

The team suggested that an article in the City Newsletter would reach all the tenants and volunteered to write the article as part of the project. A press release was also suggested, and posting information on the City website, both of which would be drafted as part of the project.

A discussion was held about the possibility of the department providing training and information sessions for apartment managers as part of the education and buy-in phase of the project.

Des Moines City Council Member Christine Hensley was interviewed and asked to assist with this project on November 6, 2014.

She was given an explanation of the team project and told it was for a class in the Drake University MPA program. She was told how the group had begun with the idea of researching and drafting a Des Moines ordinance to require apartment managers and owners of multifamily housing to provide recycling. She was also told about the discovery that such an ordinance already existed and was actually passed by the city council in 1996, but had never been enforced. It was explained that the ordinance was to be enforced by the Department of Neighborhood Inspections, who were to withhold renewal of rental certificates if the owners or managers were not providing recycling to the tenants. She was told that no citations had ever been issued, no

certificates ever withheld and the item was not on the check list for inspectors doing the inspections prior to issuing certificates.

She was also told that SuAnn Donovan, who was now in charge of that division, had been previously unaware of the ordinance before the project was brought to her attention via a meeting, but she was now working with the team and planned to begin enforcement.

It was explained to Council Member Hensley that the plan was to phase in the enforcement of the ordinance over the next six years beginning with the next round of inspections. This was partially because contract haulers and the recycling plant were likely already at capacity and could not take on additional work if the ordinance was immediately enforced throughout the city.

She was informed that according to City Council Minutes from 1996, she was the only council member present when the ordinance was passed in 1996 who was still on the council today.

When asked, she agreed to answer questions and assist with the project.

When asked if she remembered the passing of the ordinance she replied, “To be perfectly honest, no.” She said she remembered when there was a change in the pickup service from every week to every other week for single family residences, and that it was about that same time. She did remember the council had discussions about garbage pickup as it related to multifamily complexes in the city.

She said, “It is good to hear we have an ordinance and we are going to enforce it.”

She said she did know she had over the years “received a couple of phone calls from tenants about recycling at multifamily complexes, but it was only maybe two calls.”

When asked if she remembered who proposed and supported the ordinance and if anyone or any group was opposed? She answered, “I am guessing it came from Public Works because they are responsible for garbage.”

When asked why she thought it was ignored for almost two decades, she responded, “I am shocked at that, to be perfectly honest. Clearly it is a breakdown in the system which causes pause, and I wonder if other ordinances are not being enforced.” However, she went on to explain there had been “No real concerns expressed by residents. If it was a high priority, we (city council members) would have gotten more calls.”

When asked if there had been a change of the City Council’s attitude toward recycling over the years, especially over the last 20 years, she replied, “I don’t think there has been a change. You would think there would be now in this day and age. It does come up. We get calls from residents who want another bin. I think it is working, if not we would get a lot of calls.”

When she was told about the meeting with SuAnn Donovan and Cody Christensen in the Community Development Department, specifically about the discussion to phase in enforcement with the next round of inspections, which would mean it would probably take six years, she said, “Maybe six years might be too long.”

She went on to say in explanation that this was “Not a citizen-down issue, but has got to come from the citizens up. Not a top-down action.” She did go on to explain that “our demographic has greater than 70 percent who qualify for free or reduced lunch. More focused on making ends meet ... If you go out to the suburbs it (recycling) would be a higher priority.”

On November 17, two of the team members met with SuAnn and Cody.

SuAnn brought a helpful scatter diagram of the city showing where multifamily units are most densely located (Appendix A). The communication plan was presented by a project member including plans for the website, city newsletter, and press release (Appendix E).

The discussion then turned to site plan variances, exceptions, and how managers could file for these, and how complaints would be received.

The difference between a Certificate of Occupancy and a Rental Certificate was explained to the team members. For all new construction, a manager or owner is given a Certificate of Occupancy, which essentially means they have met the requirements to rent out units in the property, and this is good for 18 months. It includes a Rental Certificate which is also good for 18 months. Thereafter, the property is part of the regular schedule for an inspection for renewal of the Rental Certificate, which occurs every three years.

The phased-in plan of sending out a letter with enclosures to include guidelines for the managers informing them of the plan would be sent out in January 2015.

Copies of the draft letter, guidelines for the managers, sections of the ordinance and an example of an implementation plan form were presented to SuAnn and Cody by the team (Appendices F & G). They were asked to mark up and add information they thought was necessary.

Having one or more informational meetings for the managers to allow them to ask more specific questions was discussed. Staff from both the Community Development Office and from Metro Waste Management would attend and answer questions and provide materials to include, perhaps, copies of the Metro Waste recycling information flyers, posters, and printed copies of the Implementation Plan form.

SuAnn suggested having two meetings on the same night, one at 5:30 and one at 7:00 pm.

On November 24, 2014, members met for the next to the last time with SuAnn and Cody. The timeline for the enforcement plan was discussed in detail, as it had changed. Suggested changes to the documents SuAnn had returned for review after she revised were made.

The plan for the timeline of enforcement was set as follows:

- January 2015 – A letter will go out to the managers/owners from SuAnn explaining the enforcement plan, and it will have several enclosures.

- March 2015 – All managers/owners will be expected to provide completed implementation plan for review and approval, along with a site diagram.
- April 2015 – Packets for those who have upcoming rental certificate renewals will include the requirement for recycling and reminder that they must have an approved implementation plan for the inspection.
- June 2015 – The inspections for renewal of rental certificates will include the requirement for an approved recycling implementation plan with site diagram and a start date within the following year.
- June 2018 – All multifamily units to have recycling available.

The last necessary items to obtain were the list of available haulers, which SuAnn provided from the City office. The team was assigned the task of calling each hauler on the list to see if they also provide pick-up service for recyclables (Appendix F).

Work with Landlords

Team members sought input from Des Moines apartment managers, focusing on one landlord with decades of apartment management experience. Dan Gray, of Alliance Realty, agreed to a series of conversations regarding the project in general, details of the enforcement plan, and landlord concerns.

Mr. Gray's insight led the project group to consider the following aspects of enforcement:

- Bin enclosures: A separate, more recent city ordinance requires the construction of enclosures for waste and recycling dumpsters. Many apartment complexes do not have these enclosures and have been grandfathered in with a variance on compliance. With the anticipated addition of new bins for recycling, landlords may be wary of the need to construct a new enclosure.
- Bin locations: Many apartment complexes have been constructed with a finite amount of space allotted carefully. The addition of new bins for recycling may tax that space, and require apartment managers to repurpose space (e.g. a parking space or multiple parking spaces), which would be inconvenient and potentially costly.
- Timeline: While the ordinance has been in place for nearly two decades, it has not been enforced or adequately communicated. Neither city officials nor apartment managers were truly aware of the ordinance and its requirements. Requiring immediate compliance would be unfair and impractical – the burden on both apartment managers and city inspectors would be far too great.

- Variances and waivers: Apartment complexes come in all shapes and sizes, locations and types. An appropriate recycling plan at a small, 12-unit downtown loft building may look very different from enforcement in a large, suburban complex with hundreds of units. Landlords must have a process by which they can request a variance or waiver to address these differences; enforcement cannot be one size fits all.

When the team began to prepare an enforcement plan with city officials, team members broached each of Mr. Gray's concerns, ensuring they had a proper place in planning discussions. The final plan recognizes and addresses each of the issues above, in the hope of creating an enforcement plan that is appropriate to the ordinance and fair to tenants and apartment managers.

Model City

As part of our research, the team focused on identifying cities similar in size to Des Moines. We focused on locating cities with populations between 150,000 and 250,000. From that list, we researched what we could find regarding multifamily recycling in those communities. Many communities recycle, but it is generally required at the single-family residence and commercial levels. During this research, it was determined that Arlington, Virginia, with a population of roughly 196,000 according to their 2013 county profile, would be an excellent option as a model city for the recycling program. Our research identified very few comparable cities that had an ordinance or requirement for multifamily dwelling recycling. Arlington defines multifamily dwelling as a building designed for occupancy of 3 or more families living independently. This also includes townhomes not part of the county curbside program. Individual units of multifamily dwellings account for 63.5 percent of the county residences at 68,600 units.

Arlington has mandated recycling not only for their curbside residential and commercial properties, but also for multifamily dwellings.

An interesting aspect of the recycling law is that the property managers of the multifamily dwellings are required to submit a recycling plan. Plan submission was required within 90 days of January 1, 2011, or within 30 days of the recycling contract renewal date. The plan must document their recycling system for its residents to separate refuse from recyclable materials. New multifamily dwellings must prepare this plan within 90 days of the first tenant occupancy.

The property managers must provide for the private collection and disposal of recycling at least weekly. Containers are to be kept covered with a tight-fitting lid at all times. According to Elizabeth Owens, Administrative Technician with the Environmental Management Office of the Arlington County Department of Environmental Services Solid Waste Bureau, the containers must also be emptied frequently enough to prevent overflowing. The containers must be maintained in a sanitary and serviceable condition and placed on concrete or other impervious material. The agency Elizabeth works for does not manage the recycling contracts but rather regulates them to ensure compliance with the county code.

The city has a website that details who must recycle, what can be recycled, and where to recycle.

All commercial and multifamily properties are required to recycle the following materials:

- Aluminum cans

- Cardboard
- Glass (bottles and jars)
- Metal cans
- Metal household items (household appliances, bicycles, cabinets, grills, furniture, etc.)
- Mixed paper (cardboard, magazines, newspapers, office paper, etc.)
- Plastics

The city also suggests recycling the following through a private hauler:

- Antifreeze
- Brush, leaves, and grass
- Clean wood/pallets
- Cloth
- Kitchen grease
- Scrap metal
- Steel/tin cans
- Used motor oil

For consumers who are unsure of how or where to recycle their items, they can use the city's website (<http://recycling.arlingtonva.us/where-does-it-go/>) by entering their product in the “look up” function.

The city of Arlington also has instructions for how to recycle metal materials and electronics. Christmas trees are eligible for recycling. For curbside customers, they can place the tree at the

curb for pick up during a designated timeframe. During this time, the first two weeks of January, for customers that don't have curbside service, such as apartments, they can drop off the Christmas tree at the Solid Waste Bureau.

Marketing

Arlington provides a "Recycling Tool kit" for property owners. This tool kit is an excellent resource for the property owners, as it provides resources to help communicate their recycling program. This tool kit includes recycling guides for both the property managers and the residents, as well as several different fliers. These documents serve as a template and can be easily modified to the owner's specifications. Many of the materials are also provided in Spanish for non-English speaking customers.

Enforcement

Enforcement of the recycling ordinance in Arlington began on May 1, 2011. The city provides a contact number for consumers to alert the city of property owners who are not in compliance. Multifamily properties are required to pay an annual \$66 commercial recycling fee. This fee is used to provide an inspector to evaluate the property's recycling program. This includes providing guidance on how to improve the system, increase participation, and evaluate cost effectiveness of the system. In any situations where violations are detected, the property may be assessed a civil penalty of up to \$300 per day.

Funding

The funding for the recycling program in Arlington comes primarily from their General Fund and subsidized by a user fee. Arlington is funded \$40,000 per year to conduct research and marketing for recycling in their community. Customers that choose to drop their recyclables at a designated location will pay a \$10 fee, regardless of the quantity. Additionally, haulers for Arlington are required to pay fees per vehicle and per compactor or container.

Statistics

Obtaining detailed statistics for multifamily recycling is unlikely, as Arlington combines all commercial and multifamily recycling together. The 2013 profile for Arlington documents that Arlington has one of the lowest disposal tip fees in the area. The tip fee has gradually decreased, with a significant change from 2011 to 2013.

- 2008: \$77.29
- 2009: \$77.45
- 2010: \$78.34
- 2011: \$82.91
- 2013: \$43.16

Arlington has a waste to energy / recycle rate of 55.1 percent.

Other options

Interestingly, Arlington offers a relatively new program called Catalog Choice. This free online service assists customers with reducing the amount of unwanted mail, catalogs, and phone books, credit card offers, and other marketing materials. After this most recent election, and the upcoming elections, this is certainly a service that could be implemented in Iowa. Arlington also suggests that as a method of recycling, customers donate their items. A detailed list of these items can be located on their website.

Anticipated Results

What are our expected outcomes? Our intention is that the city of Des Moines starts to enforce their 18 year old ordinance. We've detailed an feasible implementation timeline.

Communication regarding the ordinance requirements will be a critical component of enforcement. We have provided the city with a tool kit and will continue to work with officials toward a successful implementation.

We have met with Cody and Sue Ann with the city of Des Moines throughout this process. This has been to benefit not only to the project team, but also for the city. As a result of this project, they will have tools to assist with the enforcement of this ordinance including: timeline, project documents, communication plan, marketing material templates, and media relations.

Have we been successful in our endeavor? Cody and Sue Ann have been very receptive to our plan and are willing to work with us in implementing the enforcement of this ordinance. Their plan for enforcement begins in January.

Enforcement Plan Projected Timeline

January 12, 2015 – A certified letter and enclosed documents will be sent out to all managers of multifamily complexes from SuAnn Donovan, Neighborhood Inspection Administrator and Deputy Zoning Enforcement Officer. The letter will explain how the enforcement of the recycling ordinance will be phased in over the next four years (Appendix F). The mailing will include, in addition to the letter:

- Copy of the pertinent sections of the Des Moines City Code Section 98-116 which includes the multifamily recycling ordinance (Appendix G).
- Guidelines for Managers with details of how they are to proceed and when they must be in compliance (Appendix F).
- Copies of “Recycling Guidelines” and “Starting a Successful Recycling Program” from Metro Waste Authority (Appendix C).
- A list of available waste haulers who have permits from the city and their contact information (Appendix F).
- Date and location for the meeting for managers to have an opportunity to pose specific questions to staff from the Community Development Department and Metro Waste Authority, and also provide educational material and Implementation Plan forms (Appendix F).

The letter will be dated January 12, 2015, and addressed to owners and/or managers of multifamily dwellings. The letter states that “The City of Des Moines has an ordinance directing

that owners or managers of a multifamily dwelling supply an opportunity for tenants to recycle waste material. The ordinance, while on the books, has not been strictly enforced. The Neighborhood Inspection Zoning Division is now implementing phased in compliance. Compliance with this ordinance is tied to rental certificates.”

The letter requires that “By March 31, 2015 managers and/or owners of multifamily dwellings must provide the Neighborhood Inspection Zoning Division with a written implementation plan including a Multifamily Recycling Plan and site plan for review. The plan will be reviewed by Community Development staff and comments will be returned regarding the plan prior to your next rental certificate inspection. A year from the issuance of your rental certificate, after June 1, 2015, you must have an approved Multifamily Recycling Plan and be in compliance with the plan. Within the year you should seek any variances, exceptions or waivers you feel you need to accommodate compliance.”

January 29, 2015 – A meeting is scheduled to provide an opportunity for managers and owners to ask specific questions regarding the implementation of the recycling program. Staff from the Community Development Department will be available to answer questions regarding the review process, appeals, and general compliance questions.

January 2015 – New Construction

Recycling Implementation Plan and site plan for containers and type of enclosure required for all proposed multifamily units prior to approval and issuing Occupation Certificate.

March 31, 2015 – Manager/owners would have to submit a compliance plan to include their Multifamily Recycling Plan along with a site sketch showing location of collection bins (Appendix F). The plans will include a copy of their waste hauler contract for the removal of the recyclables, type and location of containers, and their educational program for tenants.

February/March 2015 – Media Assistance to inform tenants

The city's newsletter will include a brief article summarizing the ordinance and enforcement plan (Appendix E). More detailed information, including the site plan form and other documents, will be posted to the city's website (Appendix E). Within these communications, tenants will be informed of the correct method to file a complaint regarding their apartment manager's compliance with the ordinance.

June 1, 2015 – Neighborhood Inspection Zoning Division staff would return the reviewed Multifamily Recycling Plan and site plan with comments to include direction on obtaining any exceptions, variances, administrative approvals and waivers.

One year following the issuance of a rental certificate after June 1, 2015 – The first group of managers would have their recycling plan in place and operational.

June 1, 2018 – All managers would have a recycling program in place and in compliance with the recycling ordinance.

Recommendations

Timeline

A gradual phase-in period seems to be the most appropriate based on the needs of Des Moines and its residents. It would not be feasible or logistically possible to immediately roll out the program. Complex owners and managers need time to plan and budget for the added expense, as well as time to communicate with residents. At present, the private contractors that provide recycling service to Des Moines and surrounding suburbs do not have the infrastructure in place to rapidly expand. In short, if Des Moines were to suddenly demand that the ordinance be enforced, there would be no way for the waste/recycling contractors to meet the demand.

Currently, apartment complexes are inspected on a rotating, three-year schedule. The actual date of the start of implementation is arbitrary because at any point the implementation schedule starts there would be some apartments that just missed the schedule. Working with the city, the timeline we found most useful was at or near four years. Each apartment complex would be given notice of the mandate and would be given until the next inspection to have an approved plan intended to begin within the next year. That would take nearly four years to rotate through the entire city. By working on the phased-in roll out no single area of the city would be singled out. The idea behind the phase in process is to encourage compliance, rather than need to enforce or sanction apartments during the inspection process.

Enforcement

As the implementation of this program comes nearly two decades after the ordinance passed, we recommend a “soft enforcement” approach. By using soft enforcement, the city is acting more as a mentor and coach rather than a heavy-handed legal authority. Upon conclusion of the phase-in period, all multifamily dwellings should be providing recycling opportunities on location. All new locations will already be in compliance. The only enforcement that may need to take place is when a complex changes ownership/management. Under the possibility that a complex might stop recycling, it could be as simple as a call from the City of Des Moines to remind the management of the requirement. Ultimately, if the ownership/management does not comply, then they would face fines as outlined in the original ordinance. Again, none of the hard enforcement would come into play until after the roll-out period was complete and any fines would be preceded with a written compliance notice from the City of Des Moines.

Incentives

Recycling only works when residents have the opportunity and the inclination to participate. It is a mandate that residents have the opportunity to recycle. It is our recommendation that the city work to develop a plan that encourages recycling not just in multifamily dwellings but also for businesses and single family dwellings. Several programs exist nationwide to encourage recycling. Some were developed by cities and others by private companies. Some of the possibilities that are in use nationwide are listed below:

Weight tracking recycle bins – A Radio Frequency Identification Chip (RFID) system is available for cities to track weight and participation rates of citizens. While this is an excellent, measurable way to track participation, it is met with controversy in many cities. Essentially, people don't want "Big Brother" computers in their recycling containers.

Recyclebank – a company that works with communities to develop local incentive options to encourage recycling. The program works by individual participants logging in to a voluntary recycling tracking program. As recycle amounts increase, Recyclebank works with local vendors to issue coupons, gift certificates, etc., as a reward for participation.

It is our recommendation that Des Moines adopt an incentive program to encourage all residents to increase their recycling efforts. A proprietary system similar to Recyclebank could be implemented, though logistically it would be easier to adopt an existing program. At this time, the city does not plan to implement an incentive system.

Tenant Communication and Education Recommendations

The apartment recycling ordinance requires very little communication or education to tenants; labels on the recycling bins stating their purpose and what materials may be placed in them are the only explicitly required communications.

This project seeks not only to require enforcement to the letter of the ordinance, but also compliance with the spirit of the ordinance. To that end, the team has identified and prepared specific recommended communication and educational materials for affected tenants, which will

be provided to landlords and posted on the city's website (Appendices E & F). These materials are designed to educate tenants as to the location and purpose of the new receptacles, encouraging them to recycle.

Team members identified existing documents produced by the City of Arlington, Virginia, which had been identified as a potential model city (due to its size and the success of its multifamily dwelling recycling program). Some of Arlington's documents may be used as they exist, while others may be used as a jumping off point for the creation of Des Moines-specific materials (Appendix B).

Team members also identified existing documents produced by Metro Waste Authority that fit the project's needs perfectly. These documents, which show allowable and prohibited recyclables and provide guidelines for landlords in setting up a successful recycling program, are ideal because they are already tailored to Central Iowa recycling programs and restrictions (Appendix C).

These sample documents were provided to city officials, and may be found in this document's appendices.

Appendix A: Statistics and Data

A1: Recycling by the numbers

According to Waste Management of Iowa, the average home in Des Moines produces about 20 pounds of recyclables each month. This is tracked on average by weight from curbside pickup.

Compare that number to the US average of 1.5 pounds per day.

In the US we recycle about 34.5percent of our waste products.

Recycling Facts According to Iowa DNR

1.2 million tons of materials are recycled in Iowa each year

600 plus Iowa communities have curbside recycling

As of fiscal year 2002, 35 percent of all waste generated in Iowa was diverted from landfills

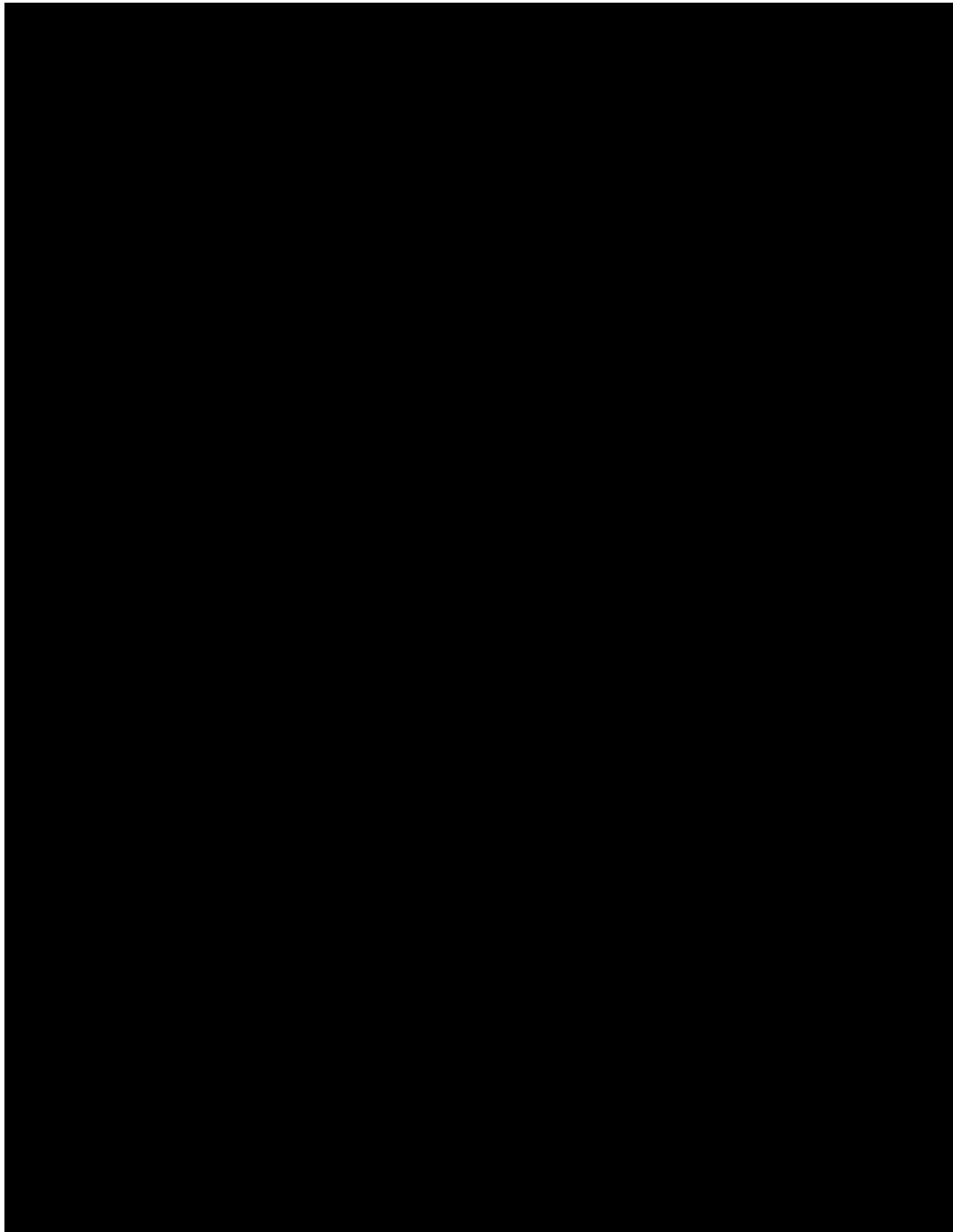
Recycling results in a net fiscal gain for Iowa's local and state government

Recycling Facts National Average EPA

In 2009 Americans recycled 82 million tons of material.

In 2001 the recycling industry in the US generated \$236 billion dollars and employed 1.1 million workers.

A2: Des Moines Multifamily Housing Density Map



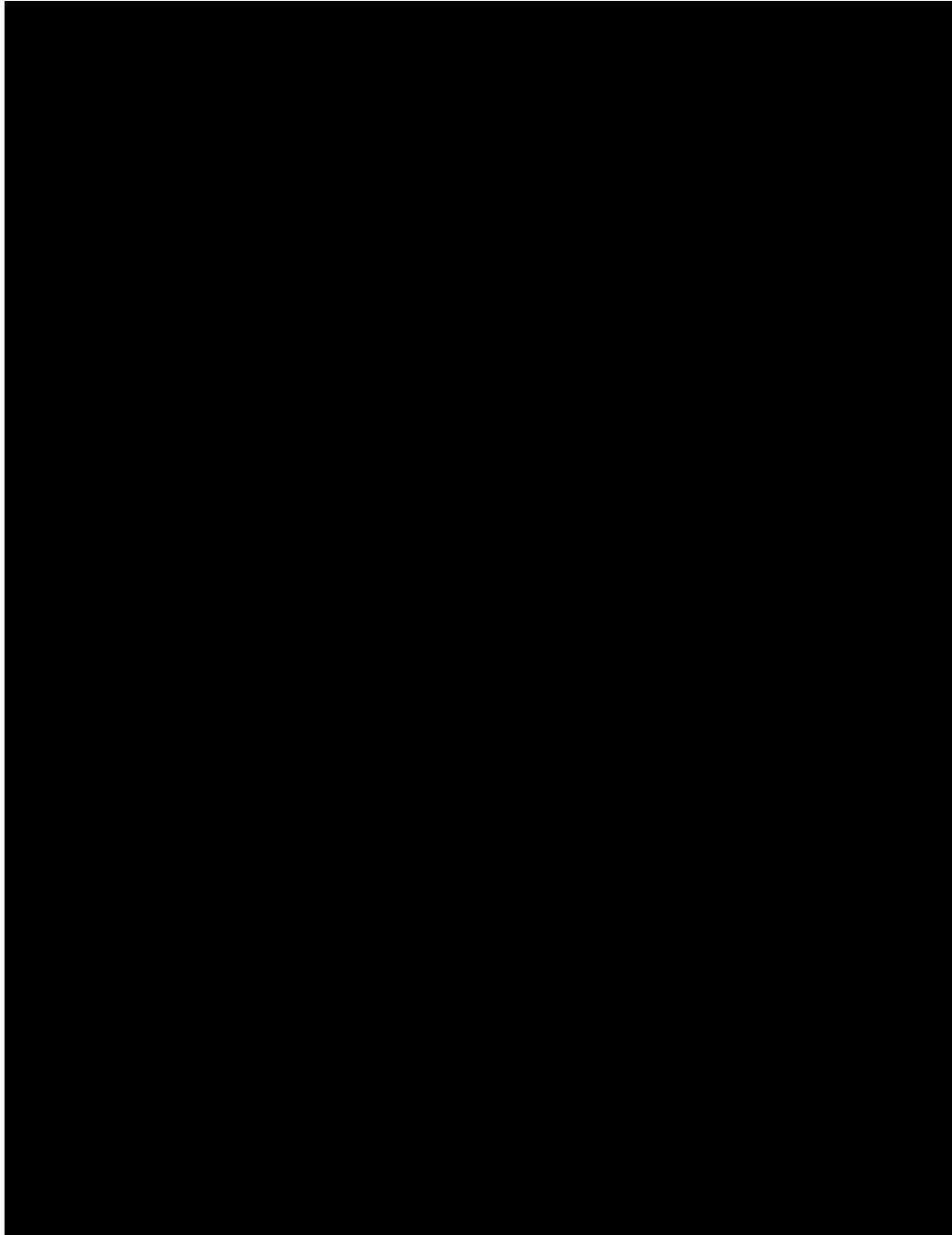
A3: Recycling Process

Waste Management and other vendors use very similar methods when it comes to processing recycling. This process all begins with the collection trucks bringing recyclables to a Waste Management Recycle America facility. Most of the small recycling companies will use this facility as well due to its efficiency. There, the recyclables are unloaded onto an area called the “tipping floor.” This is a single-stream facility, which makes recycling easier for everyone in the community to unload their recyclable products. They can all dump their recyclables in this one place, and there is no need to separate it for collection. From the tipping floor, the recyclables are placed on conveyor belts, where the sorting process begins by machine or hand into broad categories of paper, plastic, glass and metal. Once this is done, the paper recycling process is to sort the paper, so that contaminants such as plastic, metal, and garbage are removed. The paper is then shredded, mixed with water and chemicals, and pulped to form a mixture of water and cellulose fibers. Plastics are ground up, washed, melted, and formed into plastic pellets. The pellets are used to make containers, bottles, paint, clothing, furniture and many other consumer goods. The glass recyclables mixture is fed into a furnace and melted at temperatures reaching 2,700° Fahrenheit. Using recycled glass in this way reduces emissions and energy usage, extends the life of plant equipment, and conserves raw materials. Tin and steel recyclables are recovered through chemical and electrolysis baths. Then they are purified, melted and cast into ingots. Aluminum is melted and poured into ingot molds or rolled into sheets. The ingots are used by industries to make new aluminum products.

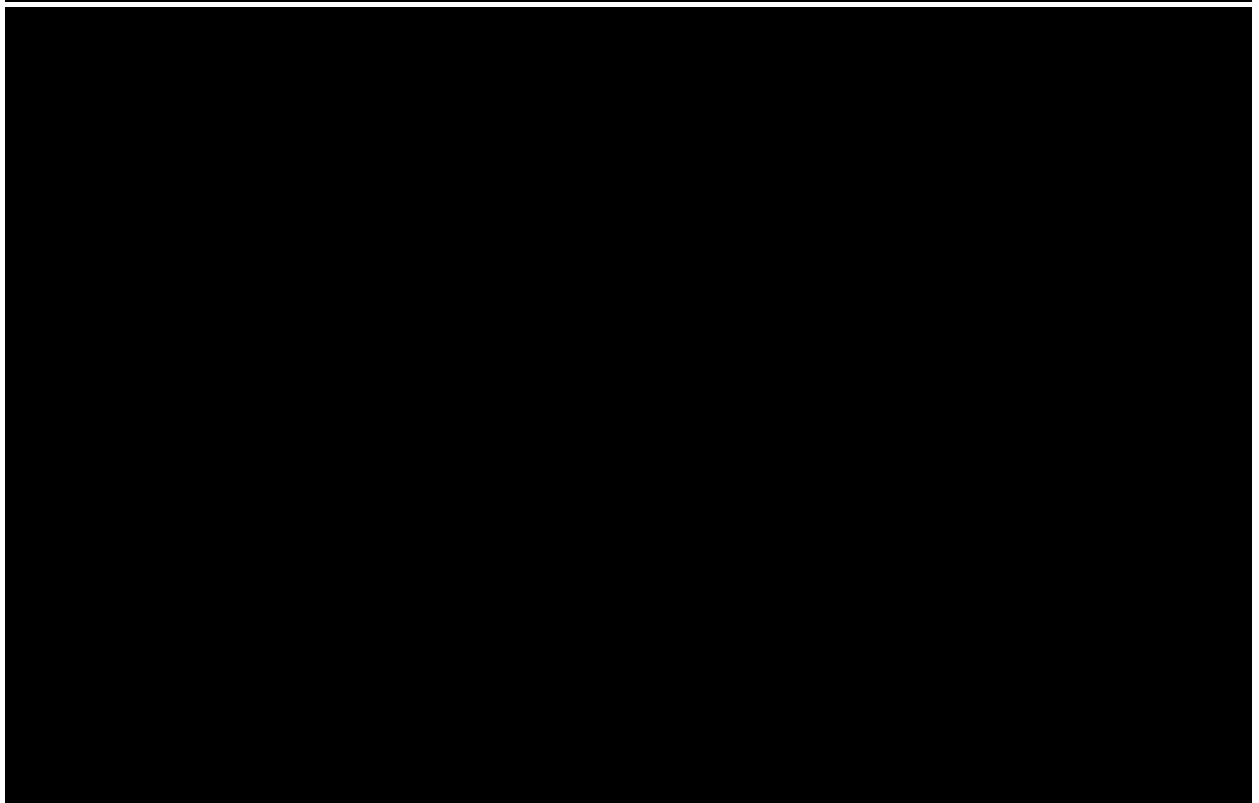
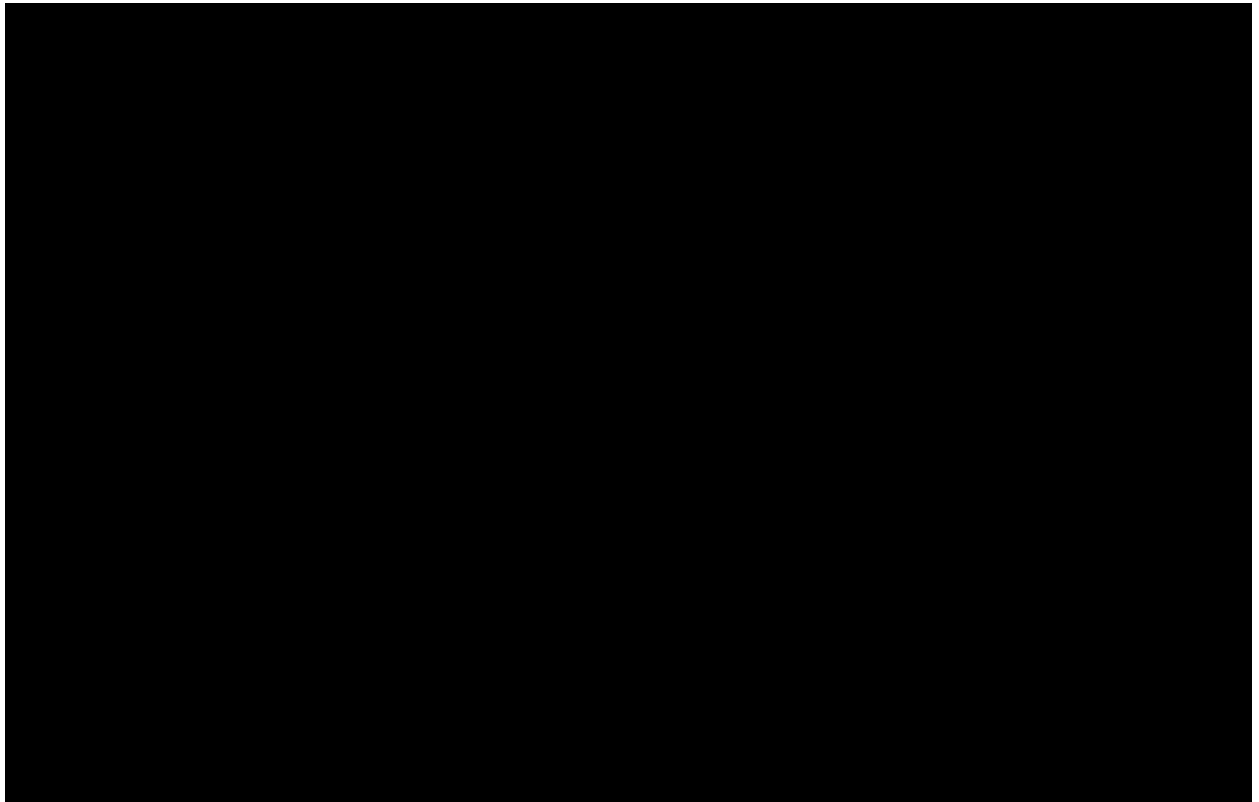
Appendix B: Model City Materials from Arlington, Virginia

B1: Arlington Multifamily Recycling Plan

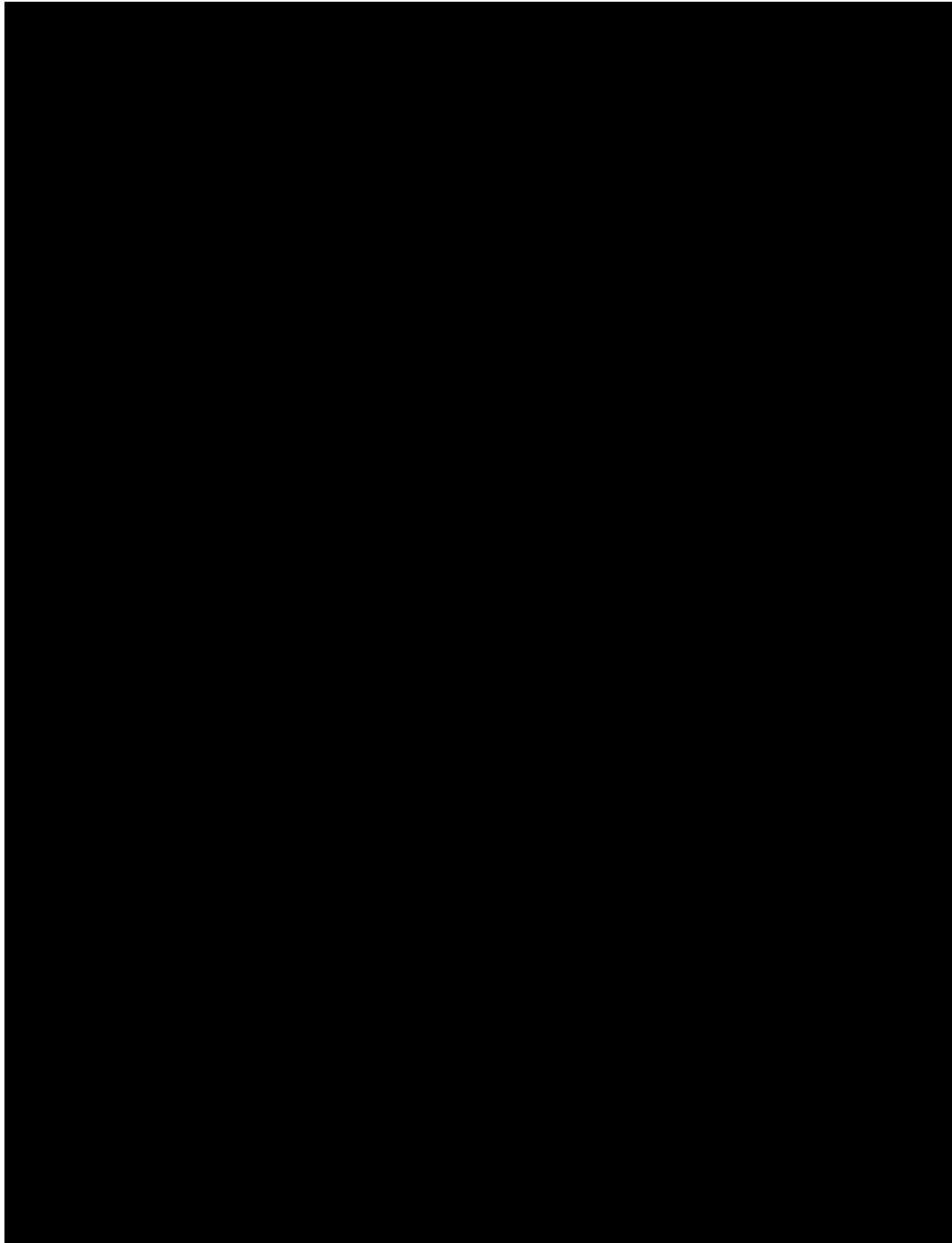




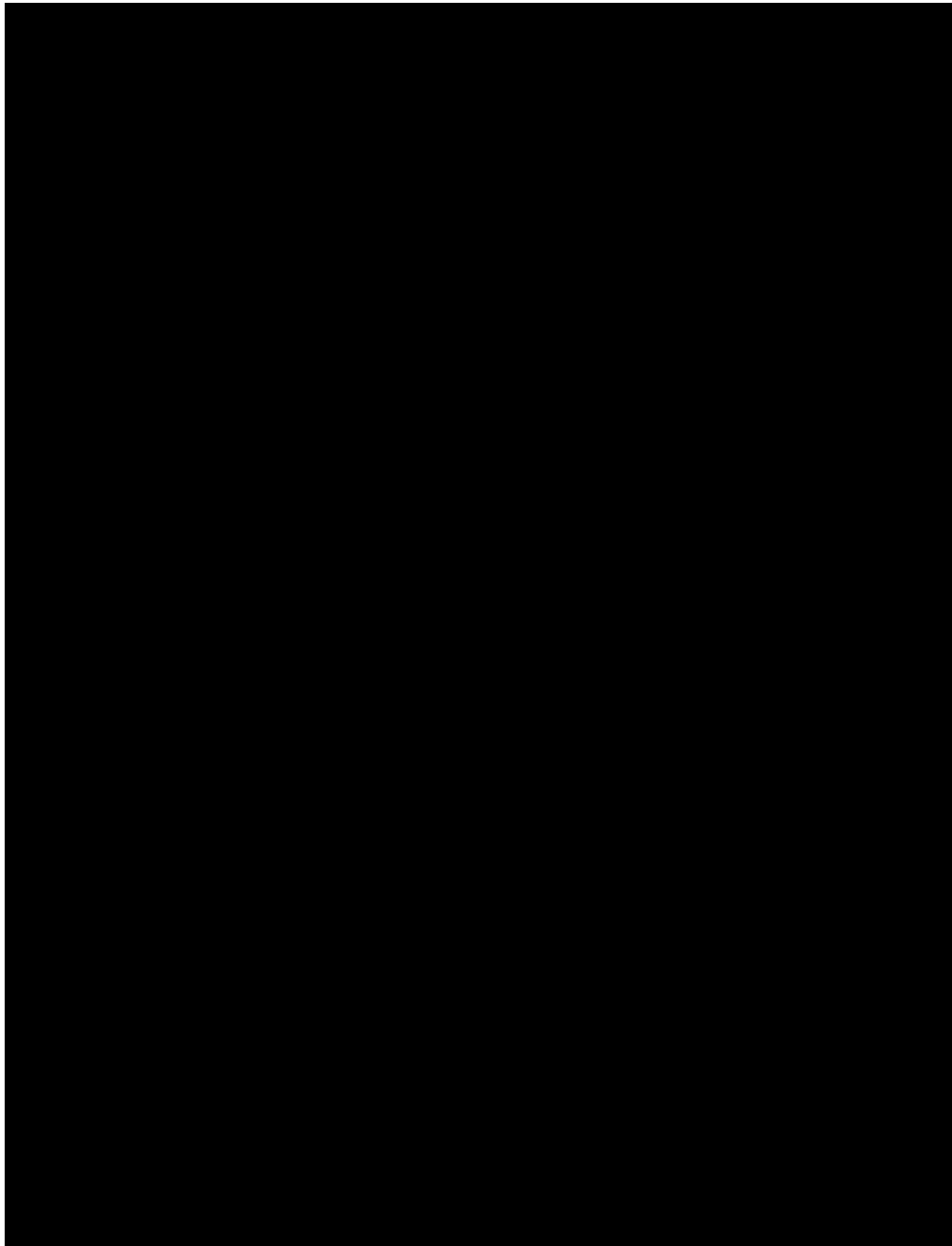
B2: Arlington Multifamily Recycling Guide for Residents



B3: Arlington Multifamily Recycling Flier



B4: Arlington Multifamily Recycling Rules (Tenant Letter)



B5: Arlington Representative Contact Information

Elizabeth Owens

Administrative Technician

Environmental Management Office

Arlington County Department of Environmental Services

Solid Waste Bureau

4300 29th Street, South

Arlington, Va 22206

Email: ewens@arlingtonva.us

Phone: [703-228-6571](tel:703-228-6571)

Fax: [703-228-6493](tel:703-228-6493)

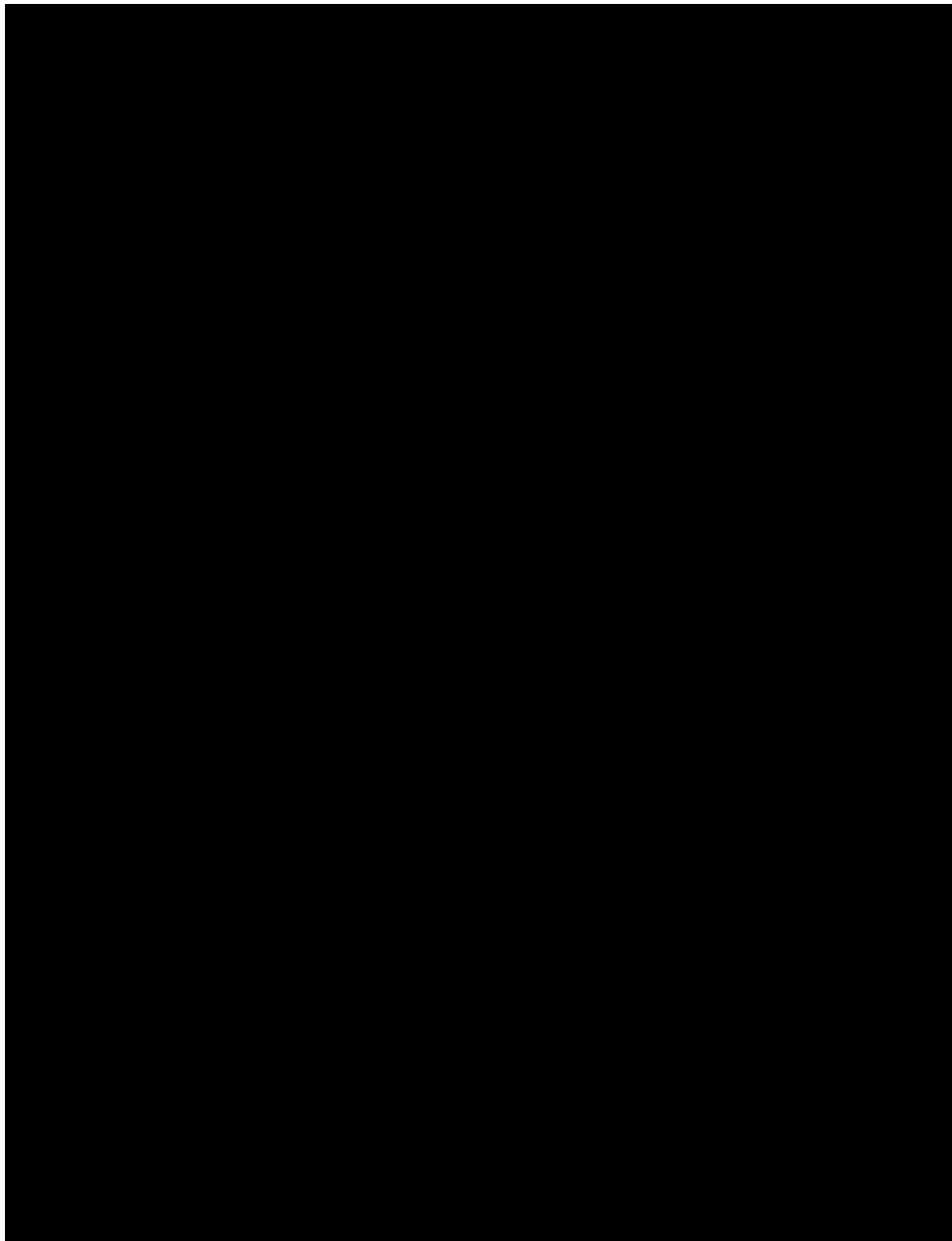
Website: <http://www.arlingtonva.us/departments/EnvironmentalServices/SW/page83397.aspx>

Twitter: [@ArlingtonDES](https://twitter.com/ArlingtonDES)

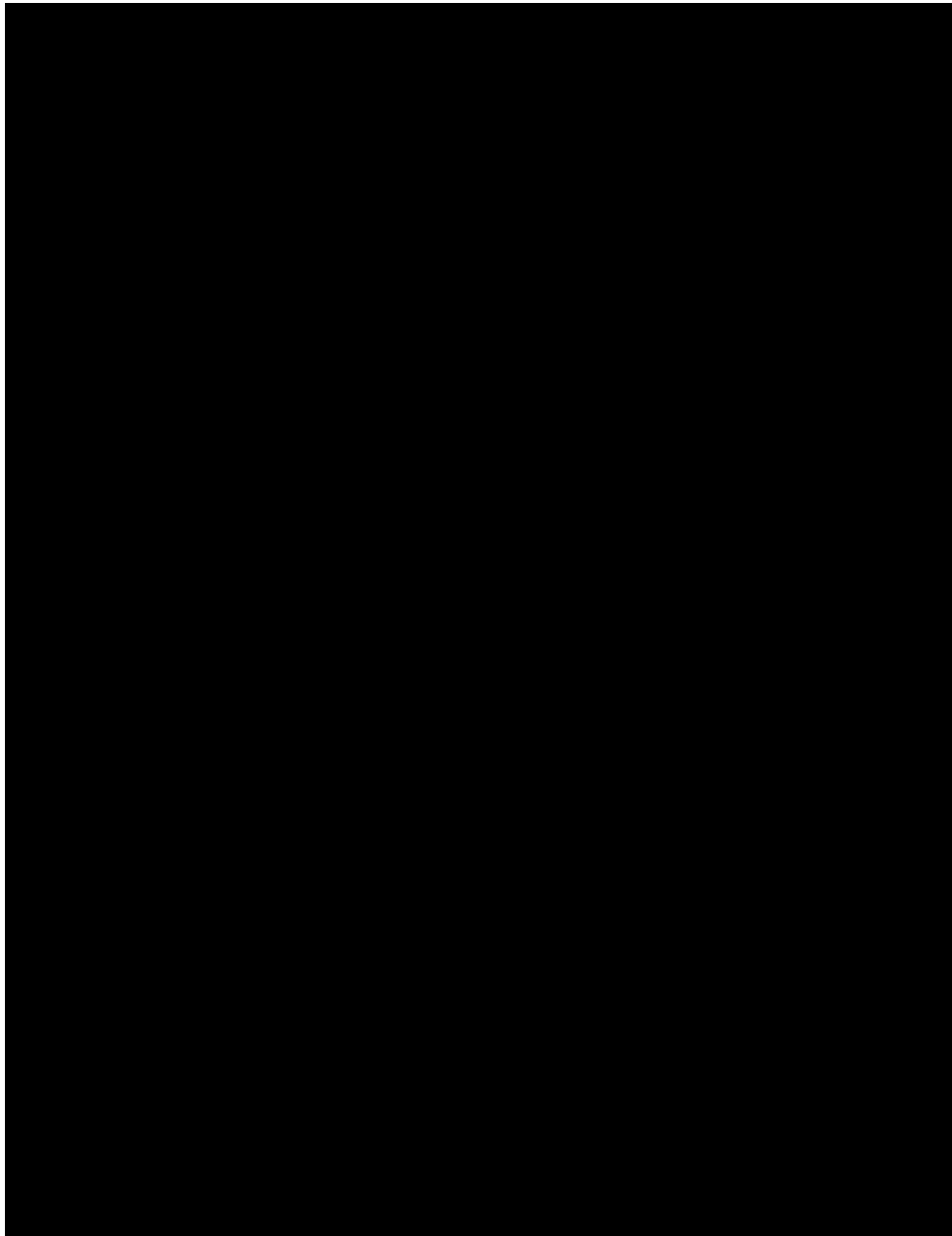
Facebook: <http://www.facebook.com/ArlingtonDES>

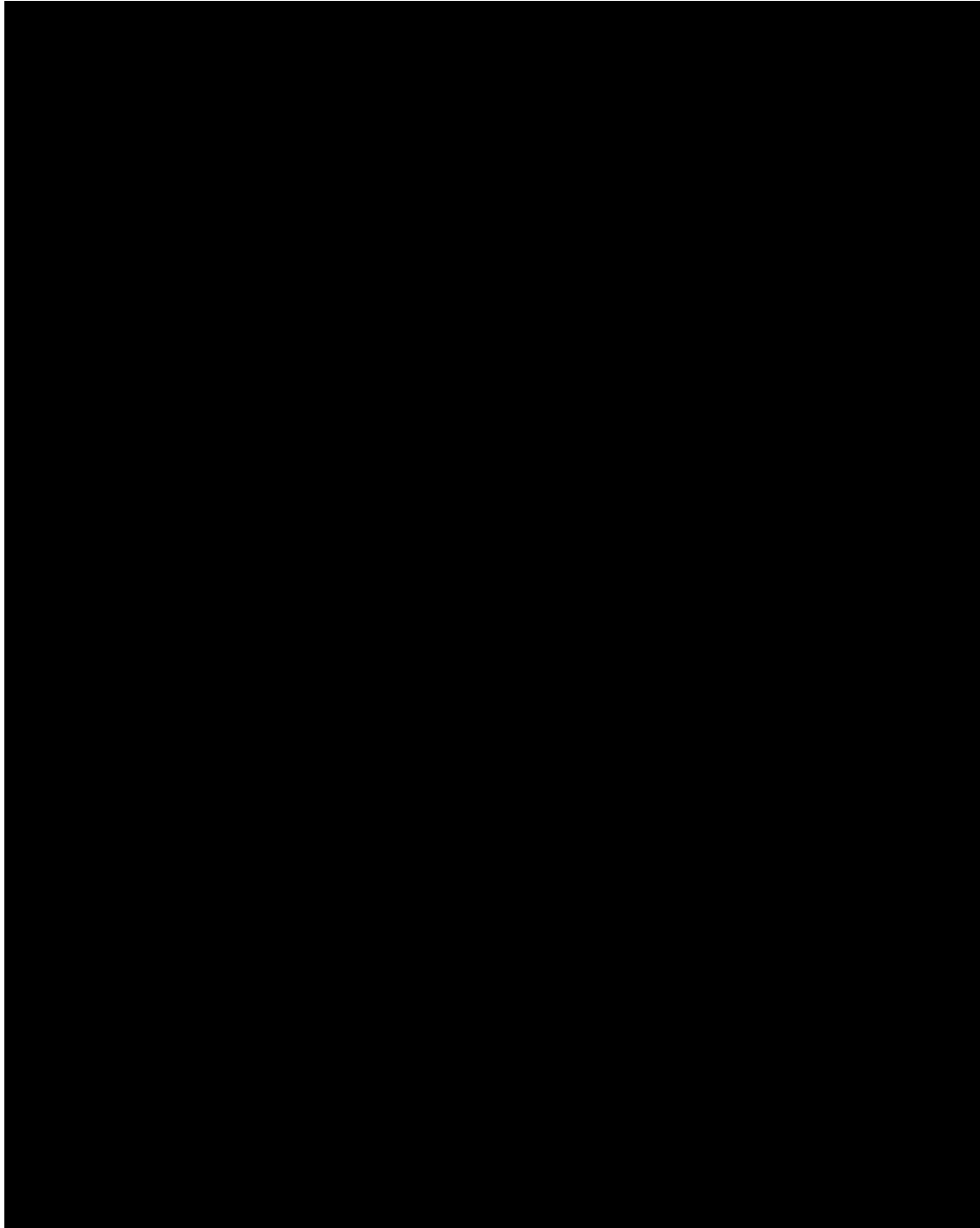
Appendix C: Metro Waste Authority Resources

C1: Recycling Guidelines Flier



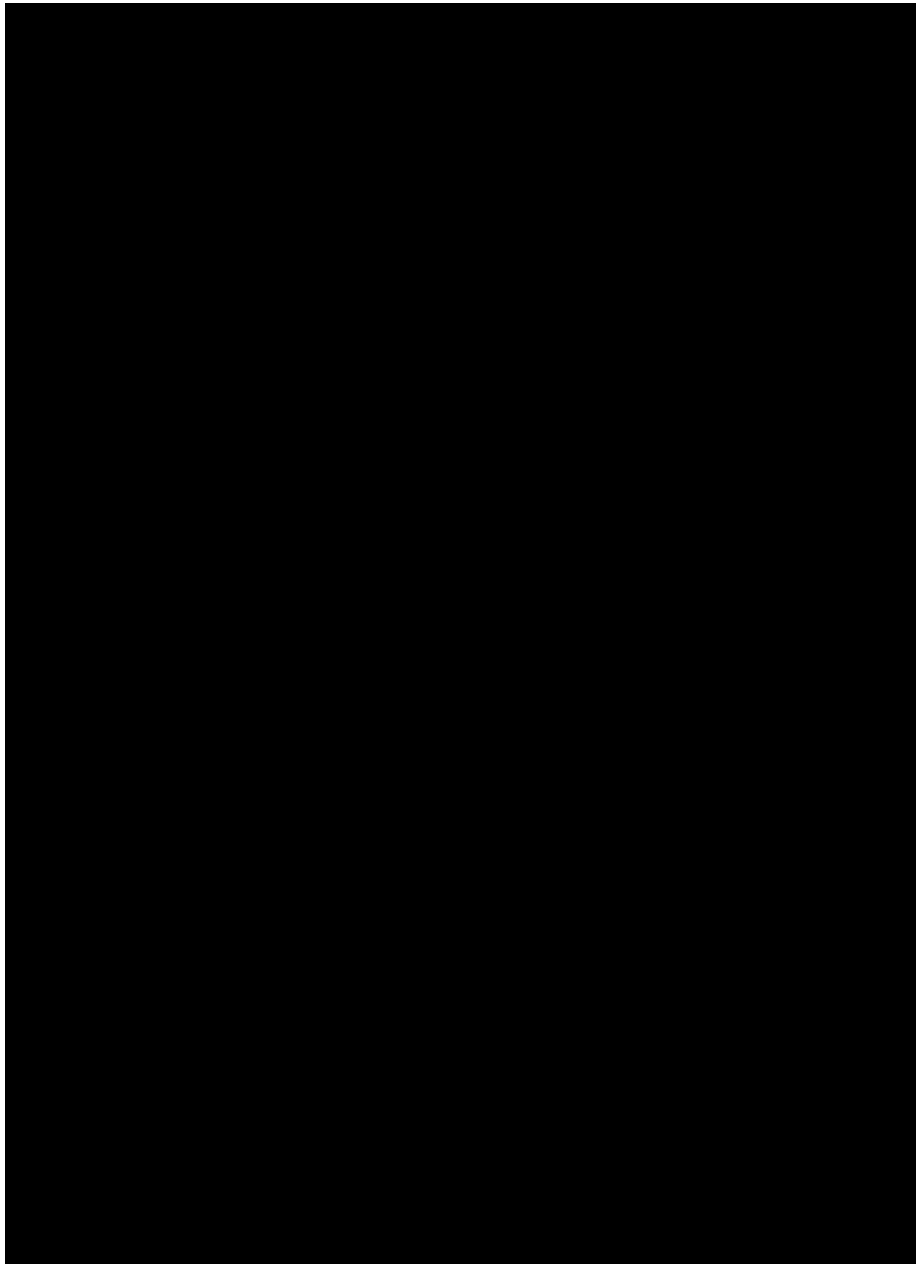
C2: Starting a Successful Recycling Program



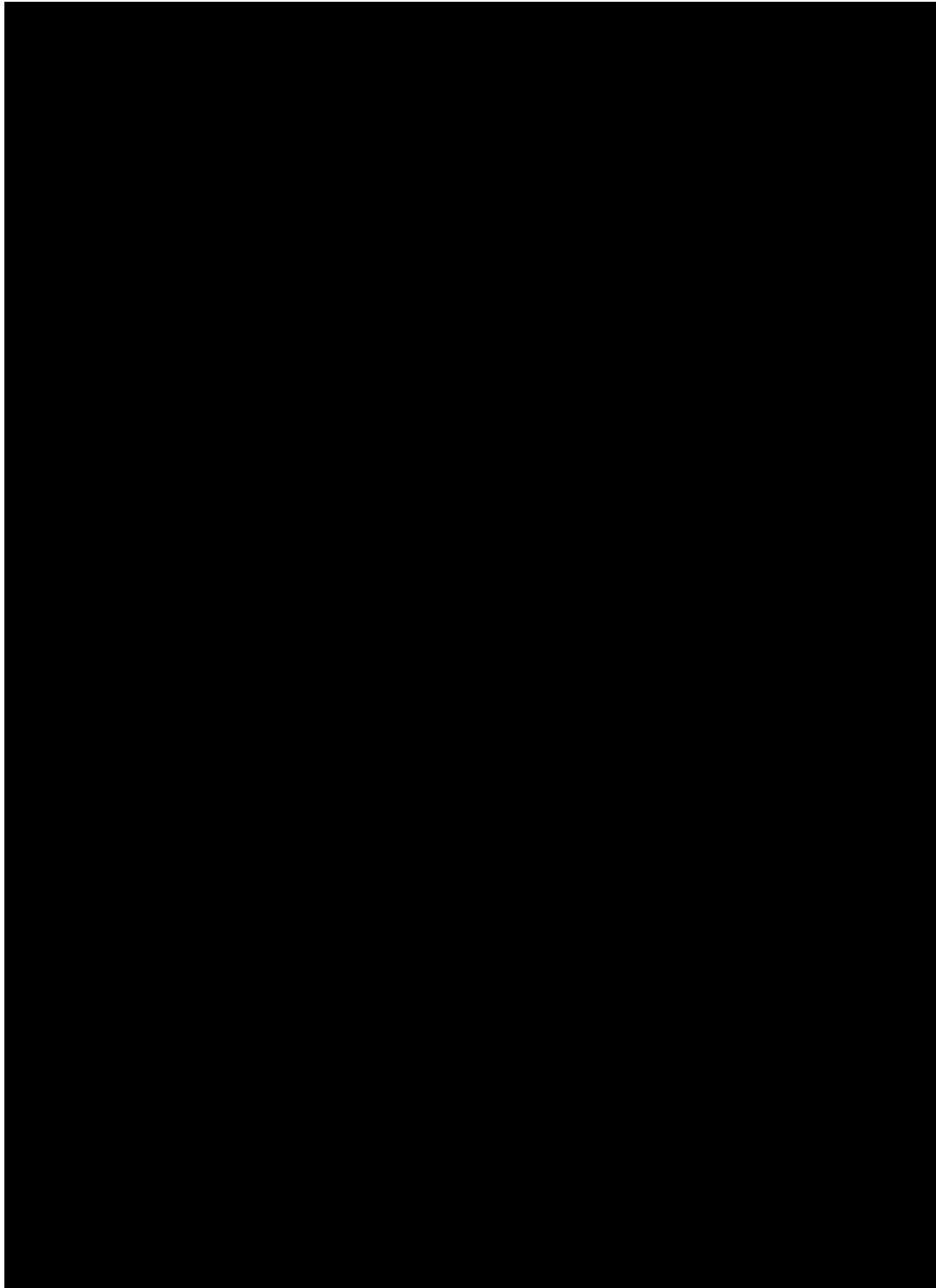


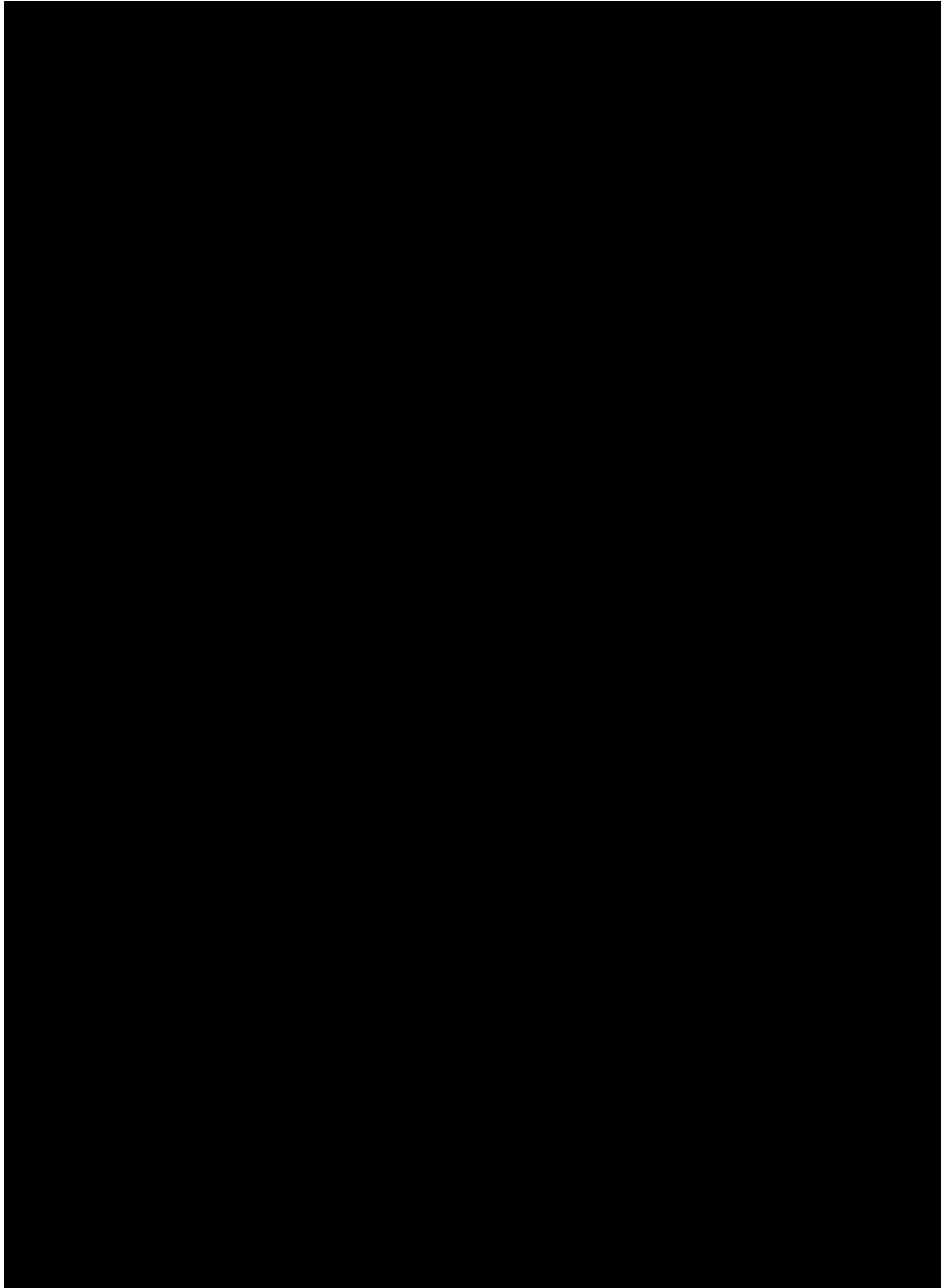
Appendix D: City of Des Moines Archive Materials

D1: Memorandum from Community Development Director
(July 31, 1996)



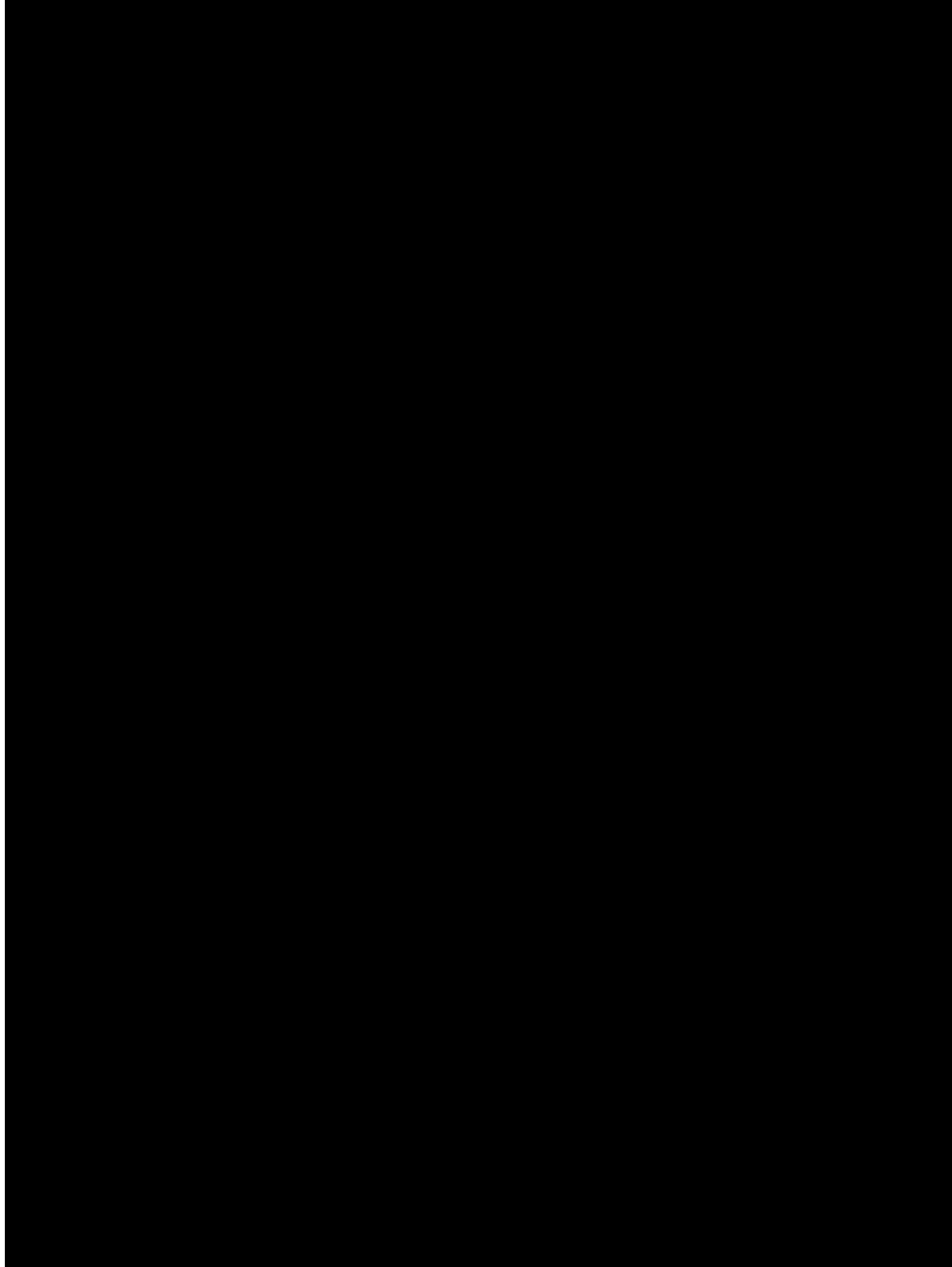
D2: City Council Notes (Nov. 18, 1996)





D3: City Council Minutes (Nov. 18, 1996)*

* Only one page of the meeting minutes is represented here.



Appendix E: Prepared Communications Materials

E1: Communications Plan

Goals:

- Create awareness of apartment recycling ordinance
- Communicate enforcement plan details and timeline

Audiences:

- Apartment Managers
- Tenants
- Waste Contractors
- Inspectors & Other Internal Audiences

Communication Priorities

1. Internal constituents
 - a. Inspectors
 - i. Enforcement guidelines
 - ii. Timeline
 - b. Public information office, city manager, city council
 - i. Ordinance basics
 - ii. Enforcement plan
2. External constituents
 - a. Landlords
 - i. Enforcement guidelines
 - ii. Timeline

- iii. Expectations
- iv. Individual plan procedures
- v. Site plan info
- vi. Variance filing procedures
- b. Tenants
 - i. Ordinance basics
 - ii. How to recycle
 - iii. What to recycle
 - iv. How to file a complaint
- c. Waste contractors
 - i. Requirements for landlords
 - ii. Timeline
 - iii. Anticipated volume

Communication Vessels

- 1. Media release
 - a. Ordinance basics
 - b. Enforcement plan
 - c. Timeline
- 2. City newsletter
 - a. Ordinance basics
 - b. Timeline
 - c. What's included
 - d. How to learn more
- 3. City website
 - a. Ordinance basics
 - b. Enforcement plan
 - c. Timeline
 - d. How to recycle

- e. What to recycle
 - f. How to learn more
 - g. How to file a complaint
 - h. List of waste haulers
 - i. Variance filing procedures
 - j. Implementation plan PDF
- 4. Landlord and inspector packets
 - a. Tenant flyer sample
 - b. Ordinance requirements
 - c. Enforcement plan
 - d. Timeline
 - e. Contact for more information
- 5. Contractor packets
 - a. Ordinance requirements
 - b. Timeline
 - c. Anticipated volume
 - d. Contact for more information

E2: City Newsletter Article

Des Moines to enforce apartment recycling ordinance

The City of Des Moines will begin enforcing an ordinance mandating access to recycling services for all apartment tenants. The plan includes a phased-in timeline to allow apartment managers and recycling companies time to create reasonable collection plans. The city will enforce the ordinance by checking for recycling services during standard apartment rental certificate inspections.

City officials partnered with a group of students in Drake University's Master of Public Administration program to prepare an enforcement plan and begin implementation. The group's goal was to create an appropriate timeline that was fair to landlords and tenants. Landlords will be required to complete an implementation plan document and submit it to the city by March 1, 2015. Implementation of those plans will be complete by January 2018.

For more information, visit the City of Des Moines Community Development website at *<http://www.dmgov.org/departments/CommunityDevelopment>*

E3: Press Release

FOR IMMEDIATE RELEASE

January 2014

Contacts:

SuAnn Donovan (City of Des Moines), 515-283-4200, smdonovan@dmgov.org

Danny Akright (Drake University), 913-449-9550, dannyakright@gmail.com

City of Des Moines to enforce apartment recycling ordinance

The City of Des Moines will begin enforcing an ordinance requiring access to recycling services for apartment tenants.

Apartment managers will be required to provide access to recycling services to all tenants. The plan includes a phased-in timeline to allow apartment managers and recycling companies time to create reasonable collection plans. The city will enforce the ordinance by checking for recycling services during standard apartment rental certificate inspections.

City officials partnered with a group of students in Drake University's Master of Public Administration program to prepare an enforcement plan and begin implementation. The group's goal was to create an appropriate timeline that was fair to landlords and tenants. Many Des Moines apartment buildings are currently without access to recycling.

"A phased-in implementation just makes sense," said SuAnn Donovan, head of the city's Neighborhood Inspection Zoning division, which controls rental certificates. "It gives landlords and recycling companies the time they need to plan, and won't put an extra burden for inspection on the city."

Landlords will be required to complete an implementation plan document and submit it to the city by March 1, 2015. Implementation of those plans will be complete within one year following the issuance of a certificate after June 1, 2015.

The city will hold an informational meeting for apartment managers on January 29, 2015 at 5:30 p.m. in city council chambers.

The ordinance, which the city council passed in 1996, provides for misdemeanor penalties for violators, beginning with fines. Drake University graduate students found the old ordinance while reviewing the city code, and realized it was not being enforced. They contacted city officials, who welcomed the opportunity to develop an enforcement plan.

“Clearly it is a breakdown in the system which causes pause and I wonder if other ordinances are not being enforced,” said City Council Member Christine Hensley. “It is good we have an ordinance and are going to enforce it.”

For more information, visit the City of Des Moines Community Development website at <https://www.dmgov.org/departments/CommunityDevelopment>

E4: Web Content

Des Moines Apartment Recycling Ordinance

[Sec. 98-116](#) of the city code requires apartment managers to provide access to recycling for all tenants. The apartment manager must provide bulk storage bins of an appropriate volume and clearly marked as recycling receptacles, and provide for disposal of recyclable materials. Compliance with the ordinance is necessary to receive a new or renewed rental certificate from the city.

This ordinance does not apply to any dwelling which qualifies for city-provided curbside recycling.

Enforcement

The City of Des Moines will begin enforcement of [Sec. 98-116](#) in 2015. In order to provide adequate time for appropriate preparations, enforcement will phase in over three years, following the existing rental certificate inspection cycle. Apartment managers will receive detailed instructions in January 2015, and will be required to submit a site plan to the city by March 1, 2015. Compliance will be determined during regular rental certificate inspections, and will be complete city-wide by January 2018.

Failure to comply with [Sec. 98-116](#) is grounds for denial of a rental certificate pursuant to the procedures set forth in chapter 60 of the city code.

Site Plans

Each apartment manager must complete a site plan using a form prepared by the city, and may include supplemental documents. The completed site plan will include:

Information on location and type of recycling container(s)

Suggested outreach to tenants regarding bin location and recycling guidelines

A timeline for implementation

This site plan may be completed by the apartment manager, and no architect or outside firm is necessary. The plan must be to scale.

Download the site plan form (PDF).

Variances & Waivers

The owner or operator of a multifamily residential premises not exceeding 10 units in size may apply for a waiver from the city after showing inability to comply with the bulk container location requirements of this ordinance. Reasoning may include lack of space for bulk containers and inability to obtain an off-site location.

Apartment managers may also apply for a variance with the city related to the construction of enclosures for waste receptacles and location.

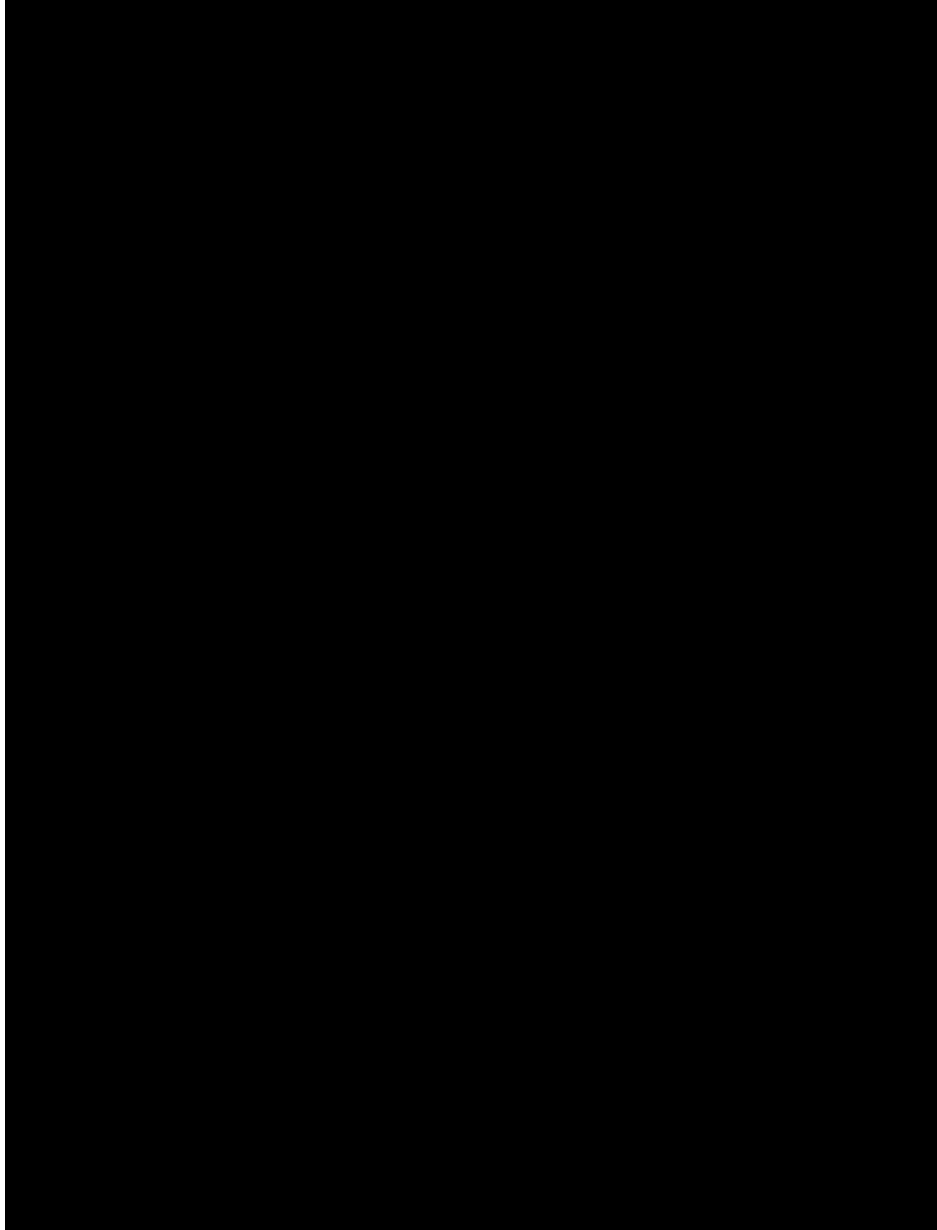
To apply for a variance or waiver, contact the Neighborhood Inspections Division at nid@dmgov.org or (515) 283-4046.

Complaint Procedures

Tenants whose apartment buildings or complexes are out of compliance with [Sec. 98-116](#) may file a complaint with the Neighborhood Inspections Division after the phased-in implementation period at nid@dmgov.org or (515) 283-4046.

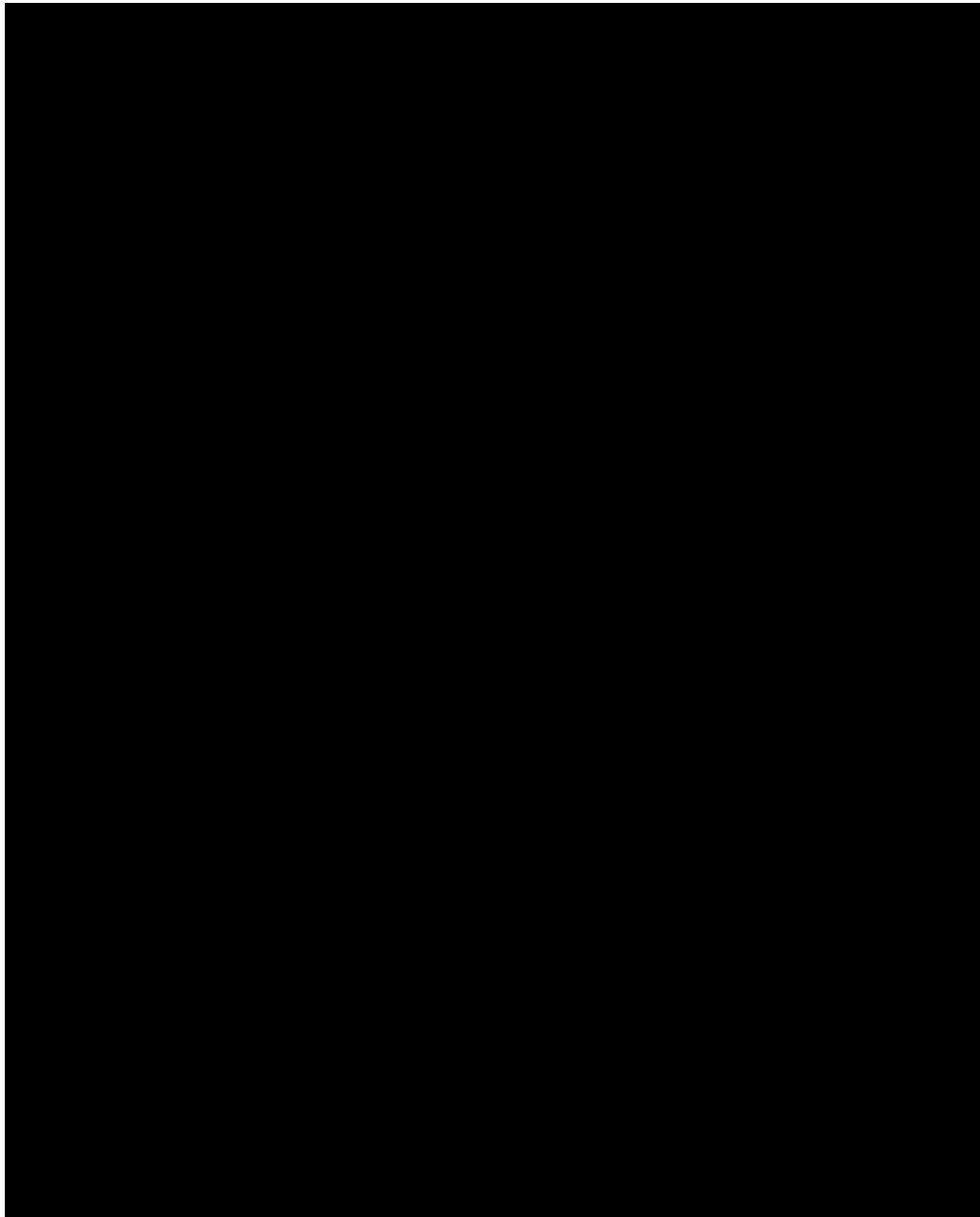
Appendix F: Prepared Documents

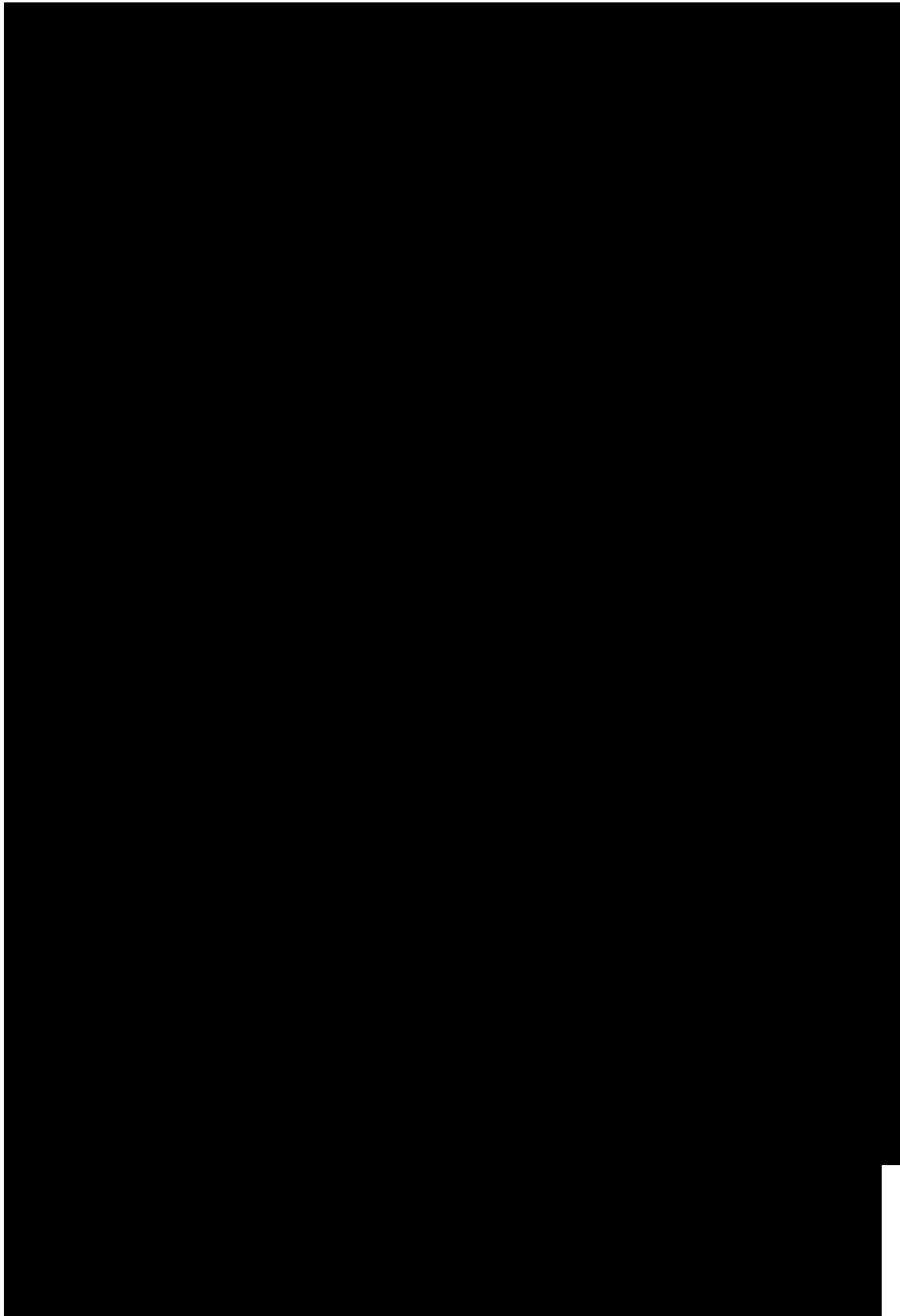
F1: Letter to Landlords



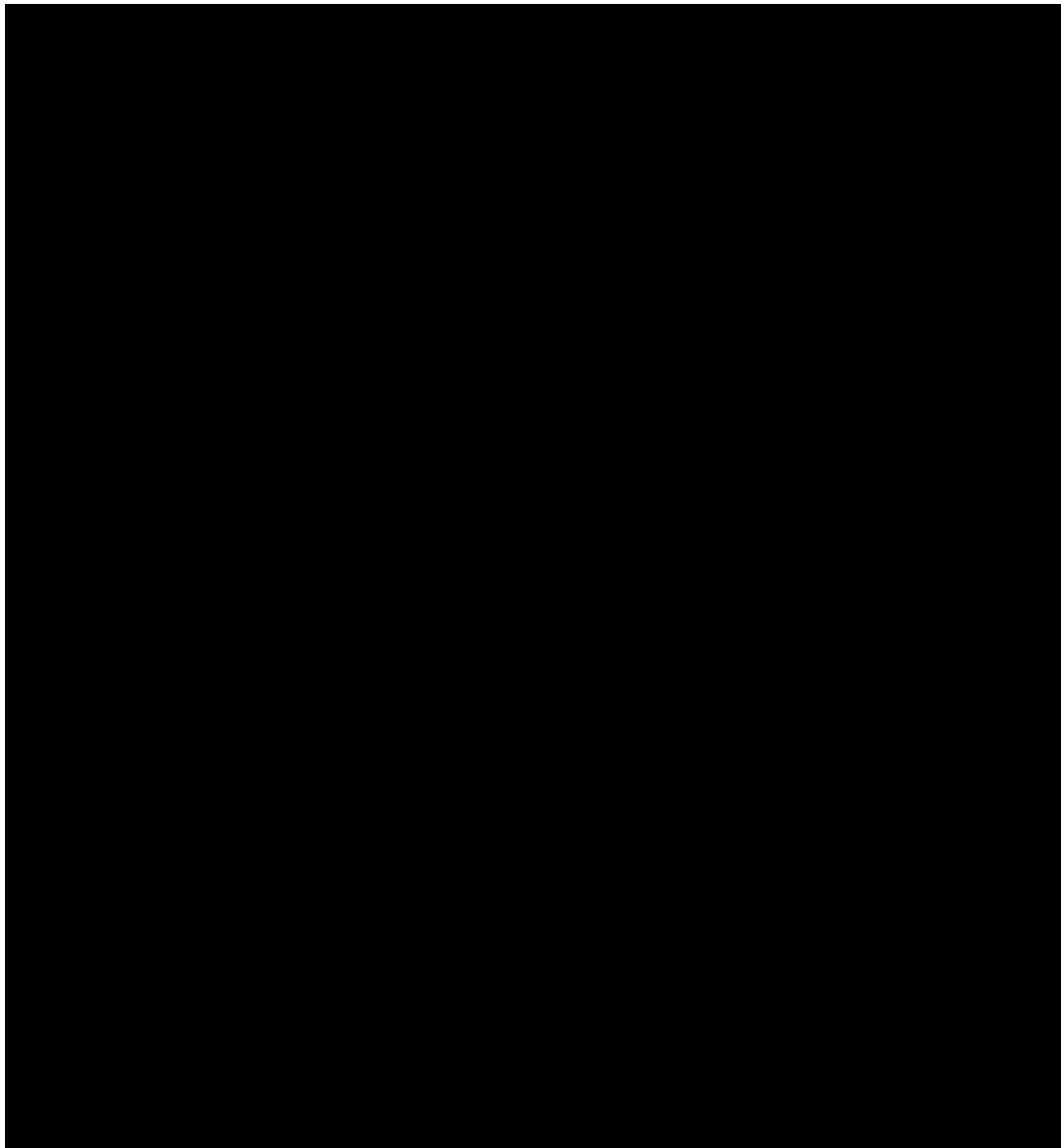


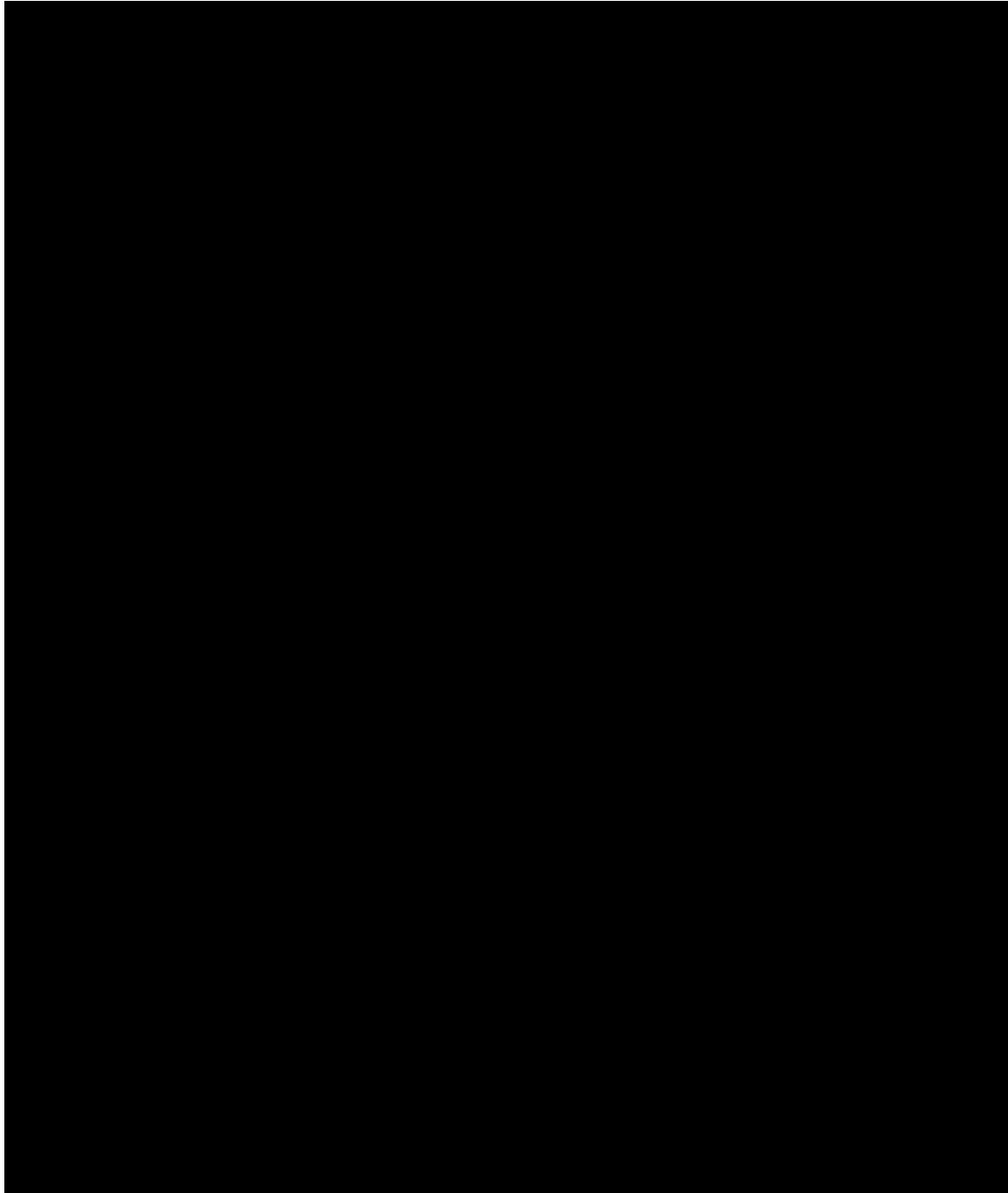
F2: Guidelines for Recycling Plan

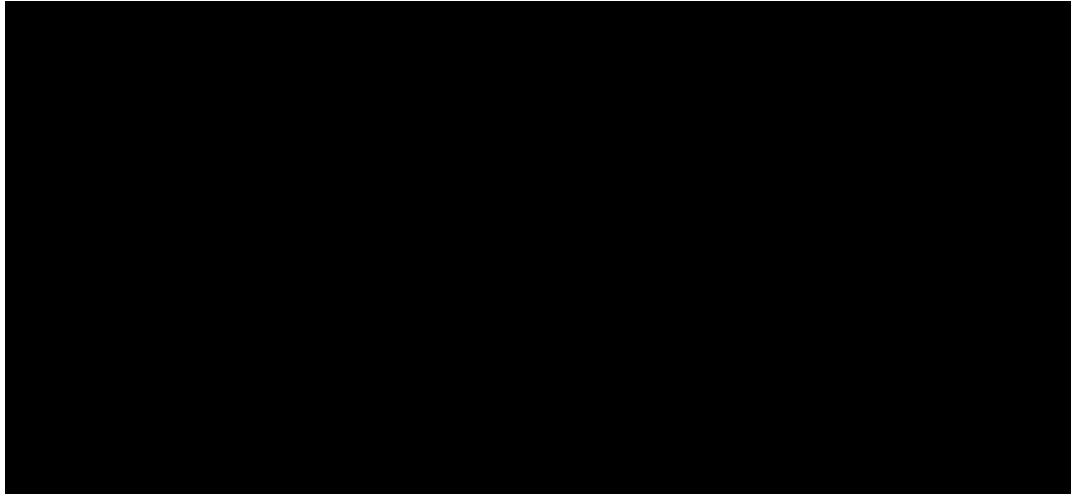




F3: Multifamily Recycling Site Plan Form

A large black rectangular area representing a redacted form. The form is completely obscured by a solid black box, indicating that the content has been removed for privacy or security reasons.





F4: List of Available Recycling Haulers

ABC Metals & Recycling Company

www.abcmetalsandrecycling.net
dan@abcmetalsandrecycling.com

Aspen Waste Systems

515-974-1400
www.aspenwaste.com/desmoines

Atomic Roll Off

515-402-1081
infor@atomicrolloff.com
www.atommicrolloff.com

Recycling is not the primary specialty of Atomic. Customers can contact Mike with questions.

Earthwise Disposal

515-966-2156
www.earthwisedisposal.com

Waste Connections of Iowa

515-265-7374
cust3071@wcnx.org
www.wcdsm.com

Waste Management of Iowa

877-394-4814
www.wm.com

Appendix G: Full Text of Sec. 98-116 Ordinance

Sec. 98-116. - Recycling at multifamily residential premises.

- a. Responsibility of owner or operator. It shall be the responsibility of the owner or operator of a multifamily residential premises to establish an appropriate system for the separation and separate storage, collection, and disposal of recyclable materials consistent with recycling market requirements and with the requirements of this section. Compliance with the requirements of this section shall be a condition precedent to the issuance of rental inspection certificates for all multifamily residential premises in the city.
- b. Bulk containers for storage and collection of materials. The owner or operator of a multifamily residential premises shall provide or shall arrange for the provision of a sufficient number of bulk containers to store all recyclable materials which are generated by residents and which accumulate in the interval between collection of such materials.
- c. Location of bulk containers. Bulk containers for the storage of recyclable materials may be located on the premises of a multifamily residential premises or on property immediately adjacent thereto, provided that the permission of the owner of such adjacent property is obtained in writing and provided that the proposed location of the bulk containers meets all applicable zoning requirements. Bulk containers for the storage of recyclable materials may be located in designated parking stalls for the multifamily residential premises or in the setback or side yard thereof, provided that the owner or operator thereof obtains the permission of the director of the community development department or a variance therefor if such is required by [chapter 134](#) of this Code. The location of bulk containers for the storage of recyclable materials shall not interfere with private or public sidewalks, walkways, or driveways; with roads, streets, or highways; or with entrances and exits of private or public buildings. The owner or operator of a multifamily residential premises shall ensure that each dwelling unit has reasonable access to all necessary bulk containers.
- d. Construction and maintenance specifications for bulk containers. Bulk containers for the storage of recyclable materials shall be durable, watertight and made of metal or plastic; shall be marked with the recycling symbol or other acceptable markings clearly indicating its intended use for storage of recyclable materials; and shall be acceptable to the director of the community development department. Bulk containers for the storage of recyclable materials shall have lids, if necessary, to avert a public nuisance and protect the marketing quality of recyclable materials. Such lids must remain closed except when recyclable materials are being placed in or removed from the bulk container. Bulk containers for the storage of recyclable materials shall be clearly marked with both the recycling symbol and with the type of material to be deposited in the container. Bulk containers shall remain on the premises at all times. The number of such containers shall be sufficient to handle the volume of recyclables which accumulate between collection intervals. The owner or operator of the multifamily residential premises shall maintain bulk containers in good repair and in a clean

and sanitary condition, free of offensive odors and the presence of flies and vermin, and shall maintain the location of such bulk containers free of all litter and spillage of recyclable materials. If one or more of such bulk containers becomes filled with recyclable materials prior to the scheduled collection day, the owner or operator of the multifamily residential premises shall immediately collect and dispose of such materials or shall arrange for the immediate collection and disposal of such materials by its contract waste hauler, all as required in this section.

- e. Collection of recyclable materials. The owner or operator of a multifamily residential premises shall either collect and dispose of recyclable materials as provided in this section or shall contract with a waste hauler, licensed pursuant to sections [98-62](#) through [98-67](#) of division 2 of this article, for the collection and disposal of recyclable materials from the bulk storage containers located on the premises. If the owner or operator of the multifamily residential premises determines that he or she will not collect and dispose of recyclable materials generated at the premises, such owner or operator shall contract with a private waste hauler, licensed as provided in sections [98-62](#) through [98-67](#) of division 2 of this article, for the provision of such service. In that event, the owner or operator shall provide a copy of the contract with the private waste hauler to the city and shall promptly advise the city of any cessation of such service by the private waste hauler. When a private waste hauler provides solid waste collection services to a multifamily residential premises, the bulk containers for the storage of recyclable materials shall be located on such premises at a location agreed upon by the owner or operator of the premises and the private waste hauler.
- f. Disposal of recyclable materials. The owner or operator of multifamily residential premises or his or her authorized waste haulers shall provide for the disposal of recyclable materials at a qualified recycling facility approved for that purpose by the director of community development.
- g. Enforcement. This section shall be enforced by the community development department as part of its rental inspection program, and housing inspectors are authorized to inspect all multifamily residential premises for compliance with this section. Upon application of the owner or operator of a multifamily residential premises not exceeding ten units in size, showing inability to comply with the bulk container location requirements of this section due to lack of space for bulk containers and inability to obtain an off-site location therefor, the director of the community development department is authorized to waive the requirements of this section. Failure to comply with this section shall be grounds for denial or revocation of a rental inspection certificate, pursuant to the procedures set forth in article IV of [chapter 26](#) of this Code.

Sources

Apartments & Condos - Trash & Recycling. (n.d.). Retrieved December 2, 2014, from <http://recycling.arlingtonva.us/apartments-condos/>

Arlington County Code. (n.d.). Retrieved December 2, 2014, from <http://countyboard.arlingtonva.us/county-code/>

Arlington County Profile - Projects & Planning. (n.d.). Retrieved December 2, 2014, from <http://projects.arlingtonva.us/data-research/>

Challender, M. (2000, Nov 05). Landfills struggle, recycling; trash haulers use out-of-state landfills;\$=W003Iowa retreats from waste-reduction goals. Des Moines Register Retrieved from <http://search.proquest.com/docview/889989204?accountid=10555>

City Clerk - Governmental Records. (n.d.). Retrieved December 2, 2014, from <https://www.dmgov.org/DEPARTMENTS/CITYCLERK/Pages/GovernmentalRecords.aspx>

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